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GAY NEW ORLEANS: A HISTORY

by

RYAN B. PRECHTER

Under the Direction of Committee David Sehat, PhD

ABSTRACT

The modern gay New Orleans community was born on the neglected streets of the historic French Quarter neighborhood during the 1920s. Despite a century of harassment at the hands of local officials and the police department, this vulnerable community developed strong communal bonds in and around the French Quarter, ultimately transforming it into one of the preeminent gay neighborhoods in the United States. This study examines how a vibrant gay community thrived in the socially conservative South, shifting traditional narratives of twentieth century gay life primarily existing on the East and West Coasts. To survive, gay men and lesbians were forced to create alternative social spaces, often coopting and exploiting the traditions of heteronormative New Orleans culture. Drawing upon archival sources and personal interviews, this dissertation challenges assumptions about the apolitical nature of the gay New Orleans community. Ultimately, this is a story of how a gay community became politically active while navigating the challenges of the socially conservative Deep South.

INDEX WORDS: Gender, Sexuality, Queer Studies, New Orleans, Louisiana, Cultural History

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by

RYAN B. PRECHTER

A Dissertation Submitted in Partial Fulfillment of the Requirements for the Degree of

Doctor of Philosophy

in the College of Arts and Sciences

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GAY NEW ORLEANS: A HISTORY

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DEDICATION

For my parents, without whom this would have never been possible.

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I am eternally grateful to my adviser David Sehat, whose guidance made this dissertation possible. I am also grateful to dissertation committee members John McMillian and Jeffrey Trask for their help and support through this endeavor. I must also acknowledge the gracious support of archivists, activists, and friends.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS	V
1 INTRODUCTION.....	1
2 THE RISE AND FALL OF A GAY BOHEMIA	12
3 POSTWAR REFORMERS AND THE STRUGGLE FOR SURVIVAL	30
4 LIBERATION DEFERRED	53
5 THE FIRE AND THE POP SINGER	72
6 A COMMUNITY BECOMES RADICALIZED.....	99
7 BETWEEN BOWERS AND LAWRENCE	132
8 CONCLUSION	164
BIBLIOGRAPHY	168

1 INTRODUCTION

This dissertation studies the New Orleans gay community from 1917-2003. Of particular focus is the manner in which gay men and lesbians built a vibrant social world for themselves in and around the historic French Quarter neighborhood. This study is not the first to argue that New Orleans is a city of contradictions, both equally conservative in its historically Catholic culture and liberal in its embrace of the bacchanalia which is Mardi Gras. This dissertation argues that gay men and lesbians successfully navigated this contradiction to their benefit, creating safe spaces for themselves to thrive within a municipality hostile to homosexuals.

This dissertation argues that while the larger gay community may not have become politically active until the late 1970s, that they had for decades previously used the city's own obsession with an artistic Carnival culture to creatively invent a vibrant queer culture and community. This dissertation is both a history of the circuitous route the gay community took toward political radicalization as well as a history of a gay hot spot surviving in the American Deep South.

There is a broad sexuality and gender history which any study of the gay movement has to be grounded in. Iconic in contemporary sexual studies is the work of Michel Foucault during the 1960s, and historians of gender and sexuality have largely addressed the subject of homosexual using the methodology and framework set by Foucault. Following Foucault's lead, scholarship in recent years has focused on gender and sexuality as a social construction. As argued by historian Daniel Hurewitz, homosexuality in particular did not become a category of self-identity until the early twentieth century, when increased regulation of gender play and homosexual activity not only marginalized the gay community, but was largely responsible for creating it. Recent scholarship by Margot Canaday and Allan Berubé on the relationship between

the state and the gay community argues that the federal government codifying homosexual traits, particularly among soldiers during World War II, had the unintended consequence of giving homosexuals the ability to classify themselves as a community.¹

Cultural histories of gay populations, in particular the gay liberation movement, is the primary methodology of this dissertation. In particular, this study is influenced by the work of John D’Emilio, who has been pivotal in advancing the argument that gay political activism began long before the traditionally assumed starting point of the 1969 Stonewall Riot in New York City. Although D’Emilio’s work was groundbreaking, there is room for both improvement and revision as the temporal distance from this dissertation examines extends. Two influential works which expand upon the D’Emilio thesis are Daniel Hurewitz’s *Bohemian Los Angeles: and the Making of Modern Politics* and George Chauncey’s *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940*. Both works examine gay communities before World War II, using Los Angeles and New York City as case studies, and argue that vibrant gay Bohemian neighborhoods thrived during the early twentieth century. This dissertation is heavily influenced by these two works in that it makes a similar argument about the pre-war New Orleans gay community in the French Quarter while also arguing that a similar Bohemian community existed in the Deep South as opposed to explicitly the coasts.²

The story of gay liberation in New Orleans is largely an outgrowth of the history of the city’s ongoing gentrification. This concept is posited by Lawrence Knopp in an essay entitled “The Transformation of the Marigny” in the compendium of gay economic history entitled

¹ Michel Foucault, *The History of Sexuality: An Introduction* (New York: Random House, 1978); Allan Berubé, *Coming Out Under Fire: The History of Gay Men and Women in World War II* (New York: Simon & Schuster Inc., 1990); Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton: Princeton University Press, 2009).

² George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940* (Berkeley: University of California Press, 2007); Daniel Hurewitz, *Bohemian Los Angeles: and the Making of Modern Politics* (Berkeley: University of California Press, 2007).

Homo Economics. Knopp argues that because homosexuals, unlike other minorities, “maintain a measure of control over the disclosure of their minority status,” they were able in New Orleans to band together under the pretense of neighborhood refurbishment. The positive side effect of this ability to organize and engage the local government was the consolidation and growth of a largely homosexual neighborhood as well as a sense of community. Besides the obvious social benefits of such cohesion to New Orleans gay men and lesbians, under the auspices of neighborhood improvement the gay community was able to win the friendly ear of the city council.³

This study is directly engaging different historiographies which have been developed since the 1960s. First, as a regional study, there is considerable scholarship about the gay experience in various cities (e.g. New York and Los Angeles), but most of these studies are devoted to the gay community on the coasts. There is also considerable Southern historiography which has recently sought to shift the gay narrative from the coasts to the American South. Traditional assumptions that rural southern gay life was rare and marginal is rebuked by various recent histories which have illustrated the subtle and nuanced way that a southern gay culture was allowed to exist and sometimes flourish while simultaneously remaining out of sight in a conservative environment. This recent scholarship explores the covert and overt manner in which gay life moved along the social axes and existed despite assumptions to the contrary.

John Howard’s scholarship in this field is groundbreaking, as his studies *Carryin’ On in the Lesbian and Gay South* and *Men Like That: A Southern Queer History*, debunk the established paradigm that gay youths flocked from the American south and Midwest for gay

³ John D’Emilio, *Sexual Politics, Sexual Communities* (Chicago: The University of Chicago Press, 1983); Lawrence Knopp, “Gentrification and Gay Neighborhood Formation in New Orleans: A Case Study,” in *Homo Economics: Capitalism, Community, and Lesbian and Gay Life*, ed. Amy Gluckman and Betsy Reed (New York: Routledge, Inc., 1997).

enclaves sprinkled along the American coasts. Howard's scholarship explores how gay men and women not only stayed, but thrived, in the Deep South, creating alternative means of networking and building community. Likewise, E. Patrick Johnson's *Sweet Tea: Black Gay Men of the South*, presents through oral history a survey of the strong social bonds the gay African American male community has built within the socially conservative framework of southern African American culture.⁴

This study adds to this discourse which repositions the gay American narrative from the coasts to the Deep South. New Orleans provides an important case study to this body of literature due to its reputation as both a cultural and gay bastion of the South. This dissertation adds to filling the gap in the literature of southern gay studies. It is informed by the work of Richard Clark, whose unpublished dissertation "City of Desire: A History of Same-Sex Desire in New Orleans, 1917-1977" provides a cultural history of same-sex desire in New Orleans over the course of sixty years. Whereas Clark's dissertation ends with the gay community's moment of political awakening, "Gay New Orleans" extends the narrative to the twenty-first century, examining gay leaders, activists, and organizations absent from Clark's dissertation, while also challenging Clark's argument that a modern gay community before World War II was virtually nonexistent in New Orleans with the support of new primary sources and interviews.⁵

In arguing that gay men and lesbians successfully navigated these contradictions to their benefit, creating safe spaces for themselves to thrive within a municipality hostile to homosexuals, this dissertation is a broadly chronological study of Gay New Orleans. Chapter 1

⁴ John Howard, *Carryin' On in the Lesbian and Gay South* (New York: New York University Press, 1997); John Howard, *Men Like That: A Southern Queer History* (Chicago: The University of Chicago Press, 1999); E. Patrick Johnson, *Sweet Tea: Black Gay Men of the South* (Chapel Hill: The University of North Carolina Press, 2012).

⁵ Richard Clark, "City of Desire: A History of Same-Sex Desire in New Orleans, 1917-1977" (PhD diss., Tulane University, 2009).

illustrates the origin of the modern gay community in New Orleans during the 1920s and 1930s. Following the end of World War I and the dissolution of the red light district known as Storyville, New Orleans' historic French Quarter neighborhood had fallen victim to years of neglect and was viewed as a dangerous haven of vice and criminality. Within these borders of the city's cultural center, as well as in the ashes of the adjacent neighborhood which used to be Storyville, an artistic "Bohemia" was born. Taking advantage of the cheap real estate while simultaneously drawn to the French Quarter's cultural and architectural history, an artistic community of writers, painters, and performers developed. This community was similar in makeup to bohemian Greenwich Village in New York City, and like Greenwich Village, became a haven for young gay men and lesbian transplants. It was also largely cultivated by gay New Orleans residents, in particular Lyle Saxon. Saxon was an author and historian who was one of the first to see both the necessity of preserving the historical infrastructure of a decaying French Quarter while also seeing its potential as a safe haven for artistic subcultures, gay and straight, which would be vulnerable otherwise. Chapter 1 will also analyze the racial barrier of the gay experience during the 1920s, and how a segregated African American gay community laid roots in the once glamorous Storyville neighborhood directly north of the French Quarter which used to be the red light district.

The importance of this era for the New Orleans gay community can not be underestimated as it laid the groundwork for establishing the French Quarter as the core of gay life in New Orleans. The importance of Mardi Gras to the gay community due its tradition of dressing opposite one's gender is examined. The affinity the gay community had for Mardi Gras was largely based on the relative safety in which one could express themselves without social or legal backlash. For many, the Mardi Gras season might be the only time in which they could

shed the pretense of heteronormativity. Likewise, gay residents and visitors to the French Quarter enjoyed the social possibilities provided by a growing number of gay-friendly bars and nightclubs. The chapter concludes with a description of this social environment during the 1930s and the survival techniques gay bar patrons used to evade police during and after the Prohibition era.

Chapter 2 examines the moral crusading which defined the fifteen-year tenure of New Orleans Mayor deLesseps “Chep” Morrison during the 1940s and 1950s. In particular, how the “Morrison Era” came to be defined by its crackdown after World War II on alleged “sex deviates,” with its focus on homosexuals. This culture of moral crusading, while spearheaded by the mayor, was amplified by the tenacity which likeminded reformers used civic and neighborhood organizations to specifically target a gay community which had been expanding during the bohemian years of the 1920s and 1930s. This chapter illustrates how Morrison and his brother Jacob, who headed the Vieux Carré Property Owners and Renters Association (VCPORA), worked for years on the perceived problem of homosexuality in the French Quarter.

This chapter surveys the extent to which the reformers went to ban or dissuade a homosexual presence from the French Quarter, while also addressing the survival strategies local gay residents developed in order to navigate increased police harassment in gay bars. Ultimately, Chapter 2 is a story of how a young gay community survived the challenges of ballooning police harassment and pressure from an increasingly morally conscious postwar citizenry to clamp down on vice in New Orleans.

Ultimately Chapter 2 is a story of survival during some of the most dangerous years to be gay in New Orleans. Whatever foothold the gay bohemians had made in the French Quarter was being threatened by police raids and the rescinding of liquor licenses to bars catering to gay

patrons. Compounding these attacks is the fact that neighborhood organizations once promoted by gay French Quarter residents as a tool to preserve the rich history of the neighborhood were now being used as weapons against the same gay residents. The post-World War II era was a difficult time for the gay community in New Orleans, yet this chapter argues that the Morrison Era actually further developed and strengthened bonds within the gay community. This is especially true of the gay male and lesbian community, which had previously relegated themselves to their own social spaces, but began to forge bonds of solidarity while simultaneously being the targets of an increasingly antigay culture.

Chapter 3 describes the New Orleans gay population sustained community during the 1960s in response to the reform movement of the post-war Morrison Era. As bars were becoming increasingly vulnerable locations for gay people to socialize, alternative spaces were developed. Most significant was the formation of gay Mardi Gras organizations, or “Krewes.” These gay Krewes were originally fashioned to satirize the exclusive traditional Mardi Gras Krewes and the extravagant balls they held during the Mardi Gras season. Gay Krewes providing gay members security that the bar scene did not. They were private clubs which rented private venues in order to hold events. Whereas an undercover police officer could blend into a bar crowd, the exclusive membership of the gay Krewes, along the invitation only balls provided safeguards not accessible in public. Also, the balls thrown by the Krewes could include female impersonators and cross-dressing, an act which had been banned in public.

Gay Mardi Gras Krewes grew in number and popularity during the 1960s, but their exclusive, members only mentality underscored their apolitical nature during a period in American history in which gay liberation groups were mobilizing in other major cities. Nonetheless, gay Krewes were political by nature as they were composed of gay members who

refused to give in to the demands of the moral crusaders. Also, just because balls were held in private venues, did not prevent some Krewes from being raided and Krewe members from being arrested.

Ultimately, however, the existence of the Krewes did little during the 1960s to advance the cause of gay liberation on the streets of the French Quarter, or provide sanctuary for those who were not members of the exclusive clubs. The sustained vulnerability of the New Orleans gay community during the 1960s is illustrate in this chapter with an examination of prominent gay businessman Clay Shaw's indictment for conspiring to assassinate President John F. Kennedy. This chapter describes how gay-baiting and homophobia made Shaw a target of District Attorney Jim Garrison, and despite his ultimate acquittal was ultimately ruined professionally and emotionally. The Shaw story is used to illustrate the apolitical nature of the gay community in New Orleans during this period, supported by Shaw's own words lamenting his friend's abandonment of him during his time of need.

Chapter 4 tells the story of how the New Orleans community became radicalized during the 1970s. Contrasting the national wave of gay liberation groups organizing and demonstrating following the Stonewall Riots in New York City in 1969, this chapter describes early, yet ultimately unsuccessful, attempts to organize for gay causes during the early 1970s, and the limits of gay mobilization in New Orleans post-Stonewall. This fact is underscored by the muted response from both the straight and gay New Orleans community in the wake of the devastating arson attack on a gay bar in the French Quarter which took the lives of nearly three dozen people.

The lack of outrage from the gay community after so many of their own were horribly murdered is then juxtaposed with the mass demonstrations which met antigay country singer

Anita Bryant four years later. Pop singer Anita Bryant became the spokesperson for repealing anti-discrimination ordinances during the 1970s. Bryant used her wholesome persona and fame in 1977 to lobby the Miami area to vote down an ordinance which would provide protections for homosexuals in housing. The referendum successfully repealed the gay rights ordinance and Bryant became the face for many of the antigay backlash to growing liberation movements during the decade. The chapter examines how a durable, yet largely apolitical, gay community in New Orleans took to the streets to protest Bryant's concert near the French Quarter soon after the Miami referendum. The thousands who marched through the French Quarter streets during the summer of 1977 to protest Bryant's antigay message marked the beginning of a gay political movement in New Orleans which would grow exponentially during the 1980s.

Chapter 5 illustrates the shift in priorities within the New Orleans gay community following the Anita Bryant concert. Highlighting the major gay liberation organizations which were born from a post-Bryant galvanized gay community, this chapter tells the story of a newly radicalized gay community. After decades of the modern gay community developing creative ways to survive within an antigay culture, during the 1970s and into the 1980s this same community decided to fight back.

Chapter 5 highlights the key figures and events which defined gay political activism in New Orleans during this era, including the first openly gay local candidate for public office. Of particular relevance is the establishment of the Louisiana Gay Political Action Caucus (LAGPAC), which during the 1980s lobbied Louisiana legislators to address the needs and concerns of their gay constituents. LAGPAC serves as a primary figure during this era because they facilitated successful lines of communication between the gay community, the New Orleans Police Department, and municipal government. Also, LAGPAC was at the forefront of fighting

back against police raids of gay bars, a once successful antigay tactic which proved to be ineffectual after the organization mobilized an increasingly activist gay community to petition the mayor's office. Whereas, in previous decades, politicians would target the local gay community as criminals, they now campaigned for gay votes, largely due to the lobbying of new gay rights groups.

Despite the successes of the post-Bryant era, this chapter highlights the city's struggle with the AIDS crisis and the challenges it meant for a newly radicalized gay community, and how the disease once again made the community a target of harassment and imprisonment in New Orleans.

Despite the gay rights successes of the early 1980s being a testament to the success of gay activist leaders, organizations, and a politically active gay community, gay men and lesbians were still considered criminals under the crimes against nature, or anti-sodomy, ordinance which made gay sex illegal. Chapter 6 illustrates the fight against this statute and how it was one of the last legally sanctioned tools used to entrap and harass gay men in New Orleans. Although this fight had many heroes, this chapter tells the story of the fascinating two decade fight that gay civil rights lawyer John D. Rawls waged against the anti-sodomy law. As the national culture became more accepting of homosexuality and the New Orleans business and tourism industry increasingly embraced gay people during the 1990s, this law which criminalizes homosexuality remained on the books. The multi-decade struggle of Rawls and others to get this law repealed is illustrative of the gay rights struggle in New Orleans at the end of the twentieth century.

This study concludes with the local contribution to the fight for gay marriage and the contribution the local chapter of the Forum for Equality made to facilitate the first gay marriage in Louisiana. Furthering the problematic relationship the gay New Orleans and Louisiana

community has historically had with conservative legislators, Governor Bobby Jindal, launching a campaign to become the Republican candidate for president, attempted to block the ability of gay Louisiana residents to marry after the Supreme Court made gay marriage legal nationwide. The fight for same-sex marriage in New Orleans underscores the unique dynamic between the local gay community and the historically conservative culture in Louisiana, and is illustrative of the lasting struggle for gay rights in the American South.

2 THE RISE AND FALL OF A GAY BOHEMIA

By the end of World War I, New Orleans' historic French Quarter neighborhood had suffered from years of neglect. Its most famous streets were crumbling and it was not uncommon to see chickens and other barnyard animals roaming Jackson Square. The lack of care committed to the Spanish era homes was reflected in their desperate looking facades, giving the French Quarter an atmosphere akin to an abandoned ghost town as opposed to a panacea along the Mississippi River. The neighborhood was still visited by the sailors and merchants who used the port of New Orleans, and there were also travelers seeking the storied bacchanalia of Mardi Gras. What they found was a shadow of the Vieux Carré's former glory, accentuated by its proximity to the defunct red light district which offered legal prostitution along the French Quarter northern border for two decades. The halcyon years of Storyville's heyday, characterized by hot jazz and exotic women, quickly became a legacy which locals would rather forget. By the 1920s, New Orleans residents had turned their backs on the French Quarter. However, where many saw a dangerous neighborhood marred by moral and physical decay, the city's hidden gay community saw an opportunity. It was in the ashes of this dying neighborhood that modern gay New Orleans was born, and it was largely due to the efforts of this burgeoning community of gay artists and outcasts that the 1920s witnessed a French Quarter Renaissance.⁶

As the city turned its back on its cultural center, a group of young artists took advantage of the cheap rents and lax morals the neighborhood had to offer. American social values during the 1920s were evolving, and the young men and women who moved to New Orleans during this decade were part of a postwar generation which questioned traditional conceptions of family and

⁶ James W. Thomas, *Lyle Saxon: A Critical Biography* (Birmingham: Summa Publications, Inc., 1991), 27; Al Rose, *Storyville, New Orleans: Being an Authentic, Illustrated Account of the Notorious Red-Light District* (University, Alabama: University of Alabama Press, 1974), ix-xii.

sexuality. A segment of this alienated postwar youth began to challenge the values of their parents' generation by establishing "little Bohemia" in Manhattan and San Francisco. These artist enclaves comprised of creative, yet impoverished, youths challenged the social mores of their era. The relative freedom these little Bohemia offered allowed a nonexistent gay community to develop. New Orleans was a particularly appealing location for young gay men and lesbians, as it offered the ruins of the neighborhood with a rich cultural heritage as a blank canvas on which to experiment.⁷

While many travelled to the east and west coasts to escape their provincial lives, others travelled south to New Orleans. A few years into the 1920s a strong artistic community emerged in the French Quarter. This "Dixie Bohemia" seduced locals as well as transplants of all ages and socioeconomic backgrounds into joining a movement which was fostering a neighborhood renaissance. With tremendous speed stories about the "Greenwich Village on Royal" reached ears outside the city borders. Very quickly many responded to the French Quarter's siren song by moving to the neighborhood. A burgeoning gay community began to develop within the new Bohemian environment. The gay Bohemians seized the opportunity to carve out a space for themselves within the context of art, parties, and sex.⁸

⁷ Nan Alamilla Boyd, "Homos Invade S.F.!" in *Creating a Place for Ourselves: Lesbian, Gay, and Bisexual Community Histories* (New York: Routledge, 1997), 74-75; For further examination of the era's gay Bohemias, see George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940* (New York: Basic Books, 1994), and Daniel Hurewitz, *Bohemian Los Angeles: and the Making of Modern Politics* (Berkeley: University of California Press, 2007); Bohemian New Orleans is also discussed in Richard Clark, "City of Desire: A History of Same-Sex Desire in New Orleans, 1917-1977" (PhD diss., Tulane University, 2009), however I disagree with Clark's thesis that a modern gay community was virtually nonexistent during the 1920s.

⁸ Silas Bent, "Greenwich Village on Royal Street," *New York Times Book Review and Magazine*, July 23, 1922; Josiah Titzell, letter to Lyle Saxon, Box 2, Folder 5, Lyle Saxon Collection, Louisiana Research Collection, Tulane University, New Orleans, LA. (hereafter cited as LaRCTU); "Brought Back to New Orleans by the Lure of the Vieux Carre," November 23, 1919, Box 15, Folder 2, LaRCTU, Newspaper clipping missing name of newspaper and author; John Shelton Reed, *Dixie Bohemia: A French Quarter Circle in the 1920s* (Baton Rouge: Louisiana State University Press, 2012), 68-70.

New Orleans' viability as a new haven for young artists and radicals was eventually validated by the national press. By 1922 *The New York Times* was even marveling about the "Greenwich Village on Royal Street," where the "artists, the players and the ambitious youngsters" were creating a modern Bohemia rivaling the famous one in Lower Manhattan. The *Times* article conceded that the crescent city offered an alternative option to Manhattan for those seeking an alternative lifestyle:

Le Vieux Carré, where eight years ago no word of English was to be heard, has been overrun by irresponsible, effervescent young artists, architects, writers. What in Paris is called the Latin Quarter, in New Orleans is called the French Quarter, and there, as in Greenwich Village, the most ardent of poseurs, the youths with the longest and girls with shortest hair hail from Peoria and Oshkosh. Some day [sic] a patient sociologist will chart...the invisible watershed which turns some of these acolytes of art toward New York Bay and some toward the Gulf.⁹

Although *The New York Times* article did not include any overt references to the gay flavor of this new Bohemia, the allusion to "the youths with the longest and the girls with the shortest hair" underscores the fact that the French Quarter was a neighborhood where social norms were being challenged.¹⁰

Within this "Dixie Bohemia" developed a close circle of gay friends whose passions included literature, historic preservation, heavy drinking, and illicit sex. The gay Dixie Bohemians included journalist, historian, and French Quarter preservationist Lyle Saxon, whose reputation as host and entertainer brought him more notoriety than his literary talents. The circle also included artists Weeks Hall, Sam Gilmore, Cicero Odiorne, and Pops Whitesell. The sexuality of the gay Bohemians remained ambiguous to most despite their friendship. Most lived ostensibly "straight" lives with wives and children, and a few even developed notorious reputations as womanizers. This double life which often straddled the line between old society

⁹ Silas Bent, "Greenwich Village on Royal Street," *New York Times Book Review and Magazine*, July 23, 1922.

¹⁰ Ibid.

traditions and modern Bohemian lifestyles was not uncommon in the gay world of 1920s New Orleans.¹¹

Several of the gay Bohemians who were not content with merely enjoying the relative sexual freedom and artistic atmosphere of 1920s French Quarter, they wanted to restore the neighborhood to its former glory. The French Quarter preservation movement was thusly spearhead by three gay men. Historian Lyle Saxon, entrepreneur William Ratcliffe Irby and architect Richard Koch made it their mission to renovate the French Quarter's historic homes while also getting laws passed which protected the neighborhood from future decay and harmful development. Neighborhood revitalization skyrocketed during the 1920s largely do the efforts of gay men and likeminded straight women. If it were not for their tireless mission to resurrect the city's greatest neighborhood from the ashes, the French Quarter as it had been known for two centuries would probably not have survived its own revitalization.¹²

For the gay men who led the artistic and architectural movements of the 1920s, the need to reinvigorate a dormant culture of celebration was as important as restoring its neighborhoods. Mardi Gras parades had rolled down the French Quarter's western border on Canal Street for nearly a century, but had lost much of its appeal in recent years. The annual Mardi Gras season in New Orleans begins on January 6 on the day known as the Feast of the Epiphany. The weeks leading up to Mardi Gras Day (also known as "Fat Tuesday" and "Shrove Tuesday") are filled with parades, parties, and costumed masquerades. The festivities officially end at midnight as Fat Tuesday turns into Ash Wednesday, officially kicking off the Catholic season of Lent. Aside

¹¹ Silas Bent, "Greenwich Village on Royal Street," *New York Times Book Review and Magazine*, July 23, 1922; Alfred Jenkins, letter to Lyle Saxon, June 18, 1932, Box 2, Folder 9, LaRCTU; August Loeb, "Frank Recollections of His Pals Told by Saxon," *Shreveport Times*, March 1934; Henry McLemore, "Adventures-'Way Down South'," *New York Journal-American*, November 8, 1942.

¹² Literature and Less, *The Times-Picayune*, November 18, 1928; Caroline Dorman, "Southern Personalities: Lyle Saxon," *Holland's*, January 1931; Reed, *Dixie Bohemia*, 68-70.

from the seductive celebratory spirited which had vibrated throughout the city during the Carnival season, Mardi Gras gave closeted gays and lesbians the rare ability to express their authentic nature publicly without fear of reprisal.¹³

Gender fluidity and ambiguous sexuality had been trademarks of Mardi Gras since its inception. The Carnival season began hosting formal parades with costumed marchers and decorated floats began in the mid-nineteenth century, but annual celebrations inspired by the court of Louis XIV date back to the city's early French years. Proof the city fostered an acceptance of gender play and crossdressing via the Mardi Gras tradition dates back to the early eighteenth century. The diary of Marc Antoine Caillot, an employee of the French Company of the Indies, includes a 1729 entry in which he describes dressing "as a shepherdess, all in white," and celebrating Lundi Gras with "my husband, who was the Marquis of Carnival." Caillot's sexual orientation may not be known, but his diary provides evidence that within specific guidelines, cross-dressing was an acceptable method of celebration in New Orleans.¹⁴

Robert Tallant was a contemporary of the Dixie Bohemians who wrote and edited several popular histories of New Orleans. In his book *Mardi Gras...As It Was*, Tallant illustrates how the modern modern masking tradition had ancient roots. Bemusedly, Tallant concludes the passage by wondering if there were any present day Krewe members aware that masking was based on Roman rituals of crossdressing and same-sex desire. Tallant's question underscores the fact that straight New Orleans was unaware of the extent to which homosexuality was an integral part of Mardi Gras. Just as a French Quarter homosocial world was made possible under the shroud of

¹³ Lyle Saxon, "Merry Moods of Carnival-Then and Now," *The Times-Picayune*, February 11, 1934; "Lyle Saxon Calls for More Fanciful Carnival Masking," *The Times-Picayune*, February 20, 1938; Albert Goldstein, "Inspiration Found Here by Writers," *The Times-Picayune*, February 21, 1941; for an excellent examination of how various New Orleans subcultures celebrated Mardi Gras see James Gill, *Lords of Misrule: Mardi Gras and the Politics of Race in New Orleans* (Jackson, MS: University Press of Mississippi, 1997).

¹⁴ Marc-Antoine Caillot journal entry, 1729, Manuscript "Relation du Voyage de la Louisiane ou Nouvelle France fait par Sr. Caillot en l'Annee 1730," The Historic New Orleans Collection, New Orleans, LA.

Prohibition, homosexuals were able to hide their sexuality in plain sight by blending in with other maskers. The opportunity to exploit this dissonance made Mardi Gras an especially important and exciting annual experience for closeted gay men and lesbians.¹⁵

In 1940, Saxon was commissioned by *The Times-Picayune* to write a series of articles to galvanize the city's waning carnival spirit. What was ostensibly conceived as a general overview of the season's Mardi Gras festivities was instead used as a vehicle for Saxon to promote masking. Regardless of how successful Saxon's relentless haranguing of New Orleans residents who refused to wear costumes on Fat Tuesday ultimately was, his column is revealing. Saxon's obsessive boosting of the masking tradition, which included several references to crossdressing revelers, hints at the importance of keeping masking alive for homosexuals in the French Quarter, of which he was a ubiquitous member. The opportunity to exploit this dissonance made Mardi Gras an especially important and exciting annual experience for closeted gay men and lesbians.¹⁶

New Orleans' social emphasis on drinking and celebrating Mardi Gras also provided a unique environment in which the city's gay population could foster a shadow community that allowed them to socialize by means unavailable in other American cities. The sexual proclivities of the city's white upper-middle class gay male population mirrored that of straight men who were successful in navigating the separate lifestyles of uptown society and downtown debauchery. This precedent had been set by the geographic boundaries of Storyville, the popular former red light district directly north of the French Quarter which allowed men to safely venture

¹⁵ Robert Tallant, *Mardi Gras...As It Was* (Gretna, LA: Pelican Publishing Company, 1947), 85.

¹⁶ Lyle Saxon, "Mask and Lose Self for a Day for Mardi Gras," *The Times-Picayune*, February 2, 1940; Lyle Saxon, "Maskers Defy Bad Weather, Uphold Holiday Spirit to Portray Gayest Characters," *The Times-Picayune*, February 7, 1940; Lyle Saxon, "Masking Events Bring Prizes to Hundred Here," *The Times-Picayune*, Box 15, Folder 7, Lyle Saxon Collection, LaRCTU, newspaper clipping missing date.

into the red light district and return to familial respectability unscathed. Storyville, as it was known, covered several blocks and existed legally between 1889 and 1917, when it was forced to shut down by the federal government. The French Quarter red light culture was carried over into a trend known as “uptown marriages,” which describes the practice of gay men having families uptown while simultaneously keeping boyfriends in French Quarter apartments. Uptown marriages were not uncommon for gay men of means, and may help explain the lasting ambiguity surrounding the sexuality of closeted members of New Orleans society.¹⁷

The social and sexual dynamics by which Storyville operated were still utilized by white uptown gays, but was the most beneficial for the city’s gay African-American population. Outside of nightclub acts, the most visible groups of cross-dressers in New Orleans were prostitutes. Many of these gender fluid prostitutes were of African American or mixed race and kept to the neighborhood where Storyville had once thrived. Evidence of black men in New Orleans performing in drag dates back to the 1920s. In the mostly non-white “drag balls” resembling Mardi Gras bal masques were a popular showcase for fashion and celebration. The drag balls appealed to both the gay and straight African-American community. New Orleans was not the only American city which showcased popular drag balls in gay African American communities, but the cultural legacies of southern racism, Storyville mythology, Mardi Gras, and jazz informed the local drag balls. As a result, New Orleans drag scene was unique in comparison to cities like Chicago and New York, where African American drag balls had also become popular.¹⁸

¹⁷ Rose, *Storyville, New Orleans*, ix; Reed, *Dixie Bohemia*, 68-70.

¹⁸ Leila J. Rupp and Verta Taylor, *Drag Queens at the 801 Cabaret* (Chicago: The University of Chicago, 2003), 179-188; Kim Marie Vaz, *The “Baby Dolls”: Breaking the Race and Gender Barriers of the New Orleans Mardi Gras Tradition* (Baton Rouge: Louisiana State University Press, 2013), 78-99; Stephen Longstreet, *Sportin’ House: A History of the New Orleans Sinners and the Birth of Jazz* (Los Angeles: Sherbourne Press, Inc., 1965), 161-184.

Although the gay experience in New Orleans during the 1920s was separated socially and physically along racial boundaries, the French Quarter and its surrounding area fostered a relatively safe environment in which a nascent gay community was on the incline. Yet, at the same time the Vieux Carré was being successfully rebranded as an artistic mecca, the specter of federal interference reminiscent of Storyville's shuttering threatened to destroy another vice the neighborhood was famous for. In 1920, the Eighteenth Amendment to the United States Constitution was passed banning the "manufacture, sale, or transportation of intoxicating liquors." The abolition of liquor sales, commonly known as Prohibition, did little to alter the city's relationship with alcohol. Moreover, it may have produced the unintended consequence of expanding the liquor market in New Orleans, which quickly developed a reputation as a city where one could still easily find a drink. Ironically, the 18th Amendment caused a boon for the local economy by fostering the city's "alcohol tourism" which "thrived during Prohibition." Underscoring this fact was the experience undercover agent Izzy Einstein on his first trip to city. According to Einstein, upon arriving in New Orleans, his taxi driver immediately offered him a drink after picking him up at the train station. This led the agent to marvel that you could get a drink faster in New Orleans than any other city.¹⁹

Although bar owners and their guests viewed New Orleans as a veritable sanctuary from sobriety, the distribution of alcohol was still illegal despite its availability. Police raids were a daily event in the French Quarter, shutting down some of the city's most famous bars. Covert speakeasies existed in the French Quarter, but several bars were able to remain open in flagrant disregard of the law. The light presence of Prohibition's enforcement in the French Quarter, along with the visibility of a respectable class of bar patrons helped foster an atmosphere of

¹⁹ U.S. Constitution, amend. 18, sec. 1; Richard Campanella, *Bourbon Street: A History* (Baton Rouge: Louisiana State University Press, 2014), 103.

disregard for the Volstead Act. Robert Tallant was a straight New Orleans historian who collaborated with the city's gay literary figures. According to Tallant, Prohibition in New Orleans as essentially nonexistent, stating that on "French Quarter streets there were as many as six drinking establishments to a block and not all were speakeasies concealed from the naked eye." Although these speakeasies may have been visible to even a casual visitor to the French Quarter, a new venue for drunken socializing known as the "nightclub" began to emerge in response to Prohibition.²⁰

Nightclubs during the 1920s promised exclusivity and discretion, while simultaneously establishing an atmosphere of class respectability and prestige. The nightclub became the rage during this decade among members of traditional New Orleans society, but also became a haven in which the local gay community could work and socialize.²¹

New Orleans nightlife may not have suffered greatly during Prohibition, but the city was still susceptible to the national trend toward increased laws restricting homosexuality and gender play. Although ordinances restricting sodomy had already been established in most states, the image of sexual orientation as a personal identity within a distinguishable social group was a relatively new phenomenon. As attitudes toward homosexuality evolved after World War I, strict laws were passed restricting its presence in bars and theatrical productions, the two venues in which gay men and women had the most success expressing themselves among likeminded individuals. By extension, gay-friendly bars developed as spaces where the city's expanding gay community could meet, but doing so made gay New Orleans extremely vulnerable.

It was during the 1920s that homosexuality as an identity comprised of what historian Daniel Hurewitz refers to as a "fundamental sexual essence" began to take shape." Before this

²⁰ Campanella, *Bourbon Street*, 103.

²¹ *Ibid.*, 104.

decade, female impersonators were not saddled with the negative stigma of homosexuality. Cabaret and theater performances featuring female impersonators were quite popular in straight communities across the United States, supporting Hurewitz's argument that "the linkage of behavior that inverted the gender code to inverted sexual desires" was not a standard paradigm of sexuality until the 1920s. The idea that homosexuality was a personal identity gained traction, theatrical gender play went from being celebrated to being vilified.²²

And yet, an ironic side effect of Prohibition was the unintended protection of the nation's gays and lesbians who frequented bars. The constitutional ban on alcohol did little to stop its consumption in popular party cities like New Orleans, effectively creating a nation of lawbreakers whose monolithic presence clouded the visibility of sexual deviancy. Consequently, because the selling of alcohol was illegal nationwide, there was no need to pass laws restricting gay bars. Without gay bars to regulate, focus turned to restricting theater performance. This clamp down on theatrical performance led many female impersonators to find work in nightclubs. They also benefited from the protection of widespread municipal corruption, turning gay-friendly bars and nightclubs in New Orleans into safe spaces for the city's gays and lesbians congregate.²³

By the end of the 1920s, the resurgence of culture in infrastructural renovation made the French Quarter a desirable place to live once again. As the neighborhood began to shed its reputation as a decadent haven for the criminal element, respectable society started creeping back into the historic and increasingly renovated residential properties. With the economic value of homes simultaneously rising with the value of their inhabitants' social standing, the new, straighter residents, made an active push to rebrand the neighborhood as safe from crime and

²² Hurewitz, *Bohemian Los Angeles*, 6, 66.

²³ *Prohibition*, directed by Ken Burns and Lynn Novick, PBS, 2011; Clark, "City of Desire," 77.

immorality. At the forefront of this reform movement was Mayor T. Semmes Walmsley, who by 1929 was receiving petitions from neighborhood civic organizations to put an end to vice in the Vieux Carré.²⁴

At the same time the culture of moral crusading was on the rise in New Orleans, the gay community was dealt the additional misfortune of losing whatever protection Prohibition had provided. The Twenty-First Amendment to the United States Constitution was ratified in 1933, effectively repealing Prohibition. For the thirteen years the Eighteenth Amendment had prohibited the production and sale of alcohol within the United States, New Orleans' drinking culture had been largely unaffected. The repeal of prohibition laws necessitated new legislation targeting undesirable groups in order to restrict their presence in French Quarter bars. Specifically, new ordinances were passed banning homosexuals from assembling in public spaces, making them direct targets of arrest. The apolitical freedom of gay Bohemia had become a memory, forcing the New Orleans gay community to find strength in a handful of defiant bars which challenged the moral crusading indicative of the 1930s.²⁵

Despite the new focus on vice, the end of Prohibition led to an increase in bar patronage in the French Quarter. In 1933, the same year the Volstead Act was repealed, Café Lafitte was opened by Tommy Caplinger, Mary Collins, and Harold Bartell at 941 Bourbon Street in a building allegedly once belonging to the pirate Jean Lafitte. Although this was an era before gay bars were officially recognized, Café Lafitte was viewed as hospitable to its gay clientele and quickly became very popular in the local gay community. Its success spanned demographics,

²⁴ "Civic Groups Fight Vice in Vieux Carre," *The Times-Picayune*, October 30, 1929.

²⁵ U.S. Constitution, amend. 21; Frank Perez and Jeffrey Palmquist, *In Exile: The History and Lore Surrounding New Orleans Gay Culture and Its Oldest Gay Bar* (Hurlford, Scotland: LL-Publications, 2012).

however, and the bar eventually became one of the most popular destinations for visitors and locals before World War II.²⁶

Café Lafitte's success was meteoric during the decade, and increased during the subsequent decades. It was not unusual for bar patrons to catch a glimpse of famous artists, politicians, and film stars drinking in the dimly lit confines of what was originally an eighteenth century blacksmith shop. Famous gay playwright Tennessee Williams was a frequent patron who moved to New Orleans in the 1930s and quickly fell in love with "the last frontier of Bohemia." Indicative of the freedom the French Quarter offered young gay men, Williams' biographers posit his first gay experience took place soon after he arrived in the city. Williams would have had the potential for romantic success at Café Lafitte, and according to Restaurateur Ella Brennan, the struggling playwright "could be found there every night."²⁷

In 1934, the year after Prohibition's repeal, there renewed pressure to end vice and fire the policemen who allowed it to thrive. Mayor T. Semmes Walmsley ordered what was described by *The Times-Picayune* as a "vice crusade." An official "vice squad" (also known as a "vigilance squad") was appointed by the acting Superintendent of Police. The squad's police officers were charged with ridding the city of "immoral houses and gambling" within five days under threat of losing their jobs. This "citywide war on gambling and vice" targeted homosexuals as much as it did prostitutes and gamblers.²⁸

Although Café Lafitte survived the vice squads, other bars ultimately could not survive the threat of constant harassment. As one victim of the era of moral crusading was The Powder

²⁶ Perez and Palmquist, *In Exile*.

²⁷ Donald Spoto, *The Kindness of Strangers: The Life of Tennessee Williams* (Canada: Little, Brown & Company, 1985), 324; Ella Brennan, "The Secret Ingredient," in *My New Orleans*, ed. Rosemary Jones (New York: Touchstone, 2006), 62.

²⁸ "End of Gambling and Vice Ordered Within Five Days," *The Times-Picayune*, September 19, 1934; "Deserted Houses Greet Police in Cleanup Drive," *The Times-Picayune*, September 20, 1934.

Puff Beer Parlor. One of the first bars suspected of catering to an exclusively gay clientele, repeated raids under the direction of Police Superintendent George Reyer led to the bar's eventual shuttering. Vice raids like those which plagued The Powder Puff caused great distress for the local gay community during the 1930s.²⁹

Those arrested in vice raids often had their names printed in *The Times-Picayune's* crime report the following day alongside the names of prostitutes, strippers, and drug dealers. Typically, vice charges based on sexual deviance were listed in the newspaper as "disturbing the peace," without any mention of homosexuality. The lack of reference to homosexuality did not prevent these arrests from destroying lives and reputations. The names of bars where homosexuals congregated were known to the general public, and when these bars were listed along with the coded language of the arrest charges, it was clear to the paper's readership why these men and women were arrested. The coded language of sexual arrest charges was not limited to homosexuality. *The Times-Picayune* often refer to a brothel as a "disorderly house," furthering the implication that "disturbing the peace" could be synonymous with illicit sex.³⁰

The Depression era focus on New Orleans vice galvanized officials outside the city as well, raising the ire of legislators in Baton Rouge. In 1934, the same year Walmsley began his moral crusade, Louisiana Governor Huey Long made vice in New Orleans a priority as well. Largely propelled by a desire to attack his longtime political enemy, Governor Long proclaimed that under Mayor Walmsley's administration the city had become a "cesspool of iniquity." As Walmsley crusaded against vice and corruption in New Orleans, the governor announced the

²⁹ Anthony J. Stanonis, *Creating the Big Easy: New Orleans and the Emergence of Modern Tourism* (Athens: University of Georgia Press, 2006) 135.

³⁰ "Eight Persons Held in Vieux Carre Raids," *The Times-Picayune*, August 30, 1933; "Detectives Hold 16 as result of Beer Parlor Raid," *The Times-Picayune*, August 1, 1934; "24 Women Arrested in Two Police Raids," *The Times-Picayune*, September 18, 1934.

formation of a special investigative committee to accomplish the same goal. Although both politicians were not focusing exclusively on homosexuals, their dual mission of ridding the streets of corruption and vice put the relatively safe spaces the French Quarter and surrounding neighborhoods had been offering the city's gays and lesbians in the crosshairs.³¹

Besides harming the ability for gay-friendly bars to operate, vice crackdowns made it difficult to operate nightclubs featuring female impersonators regardless of the sexual orientation of the club's patrons. Some clubs were able to stay in business due to their popularity within the city's straight community, but success was hardly a shield against harassment. The Wonder Bar was one popular French Quarter drag club which decided to fight back against perpetual police targeting. Illustrative of the draw the primarily gay nightclub acts had on the straight community, The Wonder Bar was not afraid to advertise the fact that their male performers dressed as women in order to "impersonate various people in the theatrical world."³²

In 1936, the bar's owner, Emile Moret, tried to combat repeated police raids by asking for an injunction preventing further harassment. The court refused his request, siding with the city attorney charge that the bar tempted the city's youth and was therefore "a menace to their morals." Believing harassment could be avoided by leaving the French Quarter's atmosphere of oppression, he changed his bar's name to the Wonder Club and relocated to a neighborhood adjacent to Lake Pontchartrain along the border of Jefferson and Orleans Parish. The move proved advantageous and the city's most popular drag club found years of success on the lakefront despite changing its name several times.³³

³¹ *The Times-Picayune*, August 1, 1934; "Gotham Editor Writes on Long," *The Times-Picayune*, August 2, 1934; Garry Boulard, *Huey Long Invades New Orleans: The Siege of the City, 1934-36* (Gretna, LA: Pelican Publishing Company, Inc., 1998), 128-132.

³² James T. Sears, *Rebels, Rubyfruits, and Rhinestones: Queering Space in the Stonewall South* (New Brunswick: Rutgers University Press, 2001), 80.

³³ John Kelly, "1972: Fire Destroys Famous Nightclub," *The Times Picayune*, September 5, 2010.

He was not wrong to worry about harassment continuing in the French Quarter. The same year Moret decided to relocate his club, the city passed an ordinance redefining the definition of the crime of “Vagrancy” to include “loitering, prostitution, or offering to procure another for prostitution, or any indecent or immoral act.” This revised definition expanded the antigay sodomy laws which already existed, making even the appearance of an “indecent or immoral act” just cause for arrest. As prostitution was already included in the expanded ordinance, the ordinance’s new wording seemed to directly target gays in New Orleans.³⁴

Despite its distance from the French Quarter, the Wonder Club’s musical drag performances gained notoriety with tourists and celebrities who usually did not leave the city’s historic French Quarter. The club featured three shows per night, and it was not uncommon to see a female impersonator spending time in between sets cavorting with celebrities like Howard Hughes, Carmen Miranda, or even local mobsters. Performers often used this time in between sets to hustle for drinks, tips, and the occasional intimate encounter. As was the case with other nightclubs featuring female impersonators, the Wonder Club existed in a liminal safe zone between the increasingly rigid border defining the gay and straight world. An enigma during an oppressive age, the club allowed straight men to indulge, however briefly, in a taboo subculture without fear of repercussions.³⁵

The Wonder Club’s atmosphere mirrored the “camp” experience the nightclub offered its patrons. Printed programs of each night’s performances listed male names under what appeared to be female photographs and it was not uncommon for encounters between guests and performers to lead to secret sexual encounters. Although the glamour and fun offered by the

³⁴ Sears, *Rebels, Rubyfruits, and Rhinestones*, 80; John Kelly, “1972: Fire Destroys Famous Nightclub,” *The Times Picayune*, September 5, 2010; New Orleans City Municipal Ordinance 14477 [1936].

³⁵ Sears, *Rebels, Rubyfruits, and Rhinestones*, 80.

French Quarter had been replaced by the quiet neighborhoods along the Lakefront, the performers personally benefited greatly from the move. Left mostly to its own devices after its relocation, the performers appreciated their opportunity to express themselves in an era hostile to the mere appearance of homosexuality.³⁶

The moral crusade threatening the New Orleans gay community during the 1930s did not succeed in its mission “clean up the town” of vice and corruption, although it did succeed in making life uncomfortable for gay people. Even though the vice squad target strippers, prostitutes, and gamblers along with homosexuals, gay-friendly establishments were the hardest hit by new ordinances targeting vice. But becoming major targets of criminal investigations, the galvanizing of antigay sentiment in Louisiana had the unintended effect of creating the first heroes of the New Orleans gay community. Years before the concept of gay political activism was even considered, a handful of brave bar owners became the protectors of the gay men and lesbians who still frequented a French Quarter neighborhood which had become incredibly hostile.³⁷

Although Moret had protected his gay employees by moving his nightclub out of the French Quarter, but it was one proprietor who stayed that would become legendary within the gay community. Yvonne “Miss Dixie” Fasnacht and her sister Irma opened Dixie’s Bar of Music in 1939 on St. Charles Avenue in the central business district adjacent to the French Quarter. “Miss Dixie” was an outgoing and gregarious lesbian who immediately established her eponymous club as a safe venue in which gays could feel comfortable enjoying each other’s company. Saxon referred to Dixie as The French Quarter’s “local Texas Guinan” after the actress

³⁶ Sears, *Rebels, Rubyfruits, and Rhinestones*, 80; *Club My-O-My: New Orleans Vintage Drag*, produced by Thomasine Bartlett, Michael Mizell, and David Wolf, interview with Tom Carlino.

³⁷ “Deserted Houses Greet Police in Cleanup Drive,” *The Times-Picayune*, September 20, 1934.

who opened a notorious speakeasy in New York during Prohibition. Like her Manhattan counterpart, she was as well known for her eccentricity as she was for subverting the law.³⁸

During the apex the vice crackdowns, she became a sort of surrogate mother for her ever growing number of gay customers. She often served as a lookout at her own bar, keeping her gay regulars aware of potential police activity. She became an icon of the gay community when she appeared at the precinct's holding cells in order to bail out gay friends and customers who had fallen victim to police raids. Over time Dixie's popularity among the gay elite extended beyond New Orleans, and gay celebrities like Rock Hudson and Truman Capote were spotted enjoying what the club had to offer. Dixie Fasnacht's reputation as a gay icon was perhaps immortalized forever when Gore Vidal used her as the basis of a character in his groundbreaking 1948 gay-themed novel *The City and the Pillar*.³⁹

Perhaps cementing the city's role as a muse for the subversive artist was the fact that established gay artists moved there as well. Trailblazing lesbian photographer and documentary filmmaker Frances Benjamin Johnston arrived in New Orleans to photograph the city in 1938. The same year fellow artist Tennessee Williams first visited the city and fell in love with it, Johnston did the same. Also like Williams, she decided there was no other place she rather live, deciding to retire two years later and spend the rest of her days being part of the city's magical landscape instead of merely photographing it.⁴⁰

³⁸ Lyle Saxon, *The Friends of Joe Gilmore* (New York: Hastings House, 1948), 67-75; Anthony Slide, *The Encyclopedia of Vaudeville* (Westport, Conn.: Greenwood Press, 1994), 216-218.

³⁹ David Cuthbert, "Dixie Land Since 1949 When She Opened Her Legendary Bar of Music, -The French Quarter has been Miss Dixie's Stomping Ground," *The Times-Picayune*, May 18, 1996; John Pope, "Yvonne Fasnacht, Owned Dixie's Bar," *The Times Picayune*, November 17, 2011; *The Sons of Tennessee Williams*, directed by Tim Wolff, First Run Features, 2010; Campanella, *Bourbon Street*, 188; Gore Vidal, *The City and the Pillar* (New York: E.P. Dutton and Co., Inc., 1965).

⁴⁰ Ray Thompson and Sue Thompson, "Camera Crusader," *The Times-Picayune*, September 3, 1944; *The Advocate*, "Gay New Orleans 101," October 11, 2005; see also Bettina Berch, *The Woman Behind the Lens: The Life and Work of Frances Benjamin Johnston, 1864-1952* (Charlottesville: University Press of Virginia, 2000).

Social attitudes and municipal legislation derisive of homosexuality became codified during the 1930s. This trend expanded to the federal level when America's involvement in World War II caused the U.S. military to investigate possible psychological defects which may preclude someone from service. The federal government's inclusion of sexual orientation as a dimension which could determine military recruitment expanded the spectrum of justifications for marginalizing gay citizens to include psychological defectiveness.⁴¹

Galvanized antigay attitudes on all levels of society during the 1930s did not destroy the homosocial world in New Orleans. Despite the demise of Dixie Bohemia, gay artists were still drawn to the city. Tennessee Williams and famous lesbian photographer Frances Benjamin Johnston both moved to the city in 1938, undeterred by vice crackdowns. The gay bars which operated during these dark times served as sanctuaries that made their gay clientele paradoxically safe and vulnerable. The narrowing of safe spaces for gay people to congregate turned gay-friendly clubs into incubators for a burgeoning homosexual community. The bars that survived the 1930s became the epicenter of gay existence in New Orleans after World War II, when the city's gay population exploded. The postwar growth of self-identified gays and lesbians led to the rise of the first gay neighborhood in New Orleans, granting the community the opportunity to expand beyond a handful of bars in the French Quarter. The increased marginalization of homosexuals during the interwar period began to bind the city's gay population in common cause. Ultimately, it was this living memory of fear and oppression which was the catalyst for gay political and social mobilization after World War II.

⁴¹ Allan Berubé, *Coming Out Under Fire: The History of Gay Men and Women in World War II* (New York: Simon & Schuster Inc., 1990).

3 POSTWAR REFORMERS AND THE STRUGGLE FOR SURVIVAL

After the United States entered World War II in late 1941, Mardi Gras organizations chose to cancel all planned carnival balls and parades in 1942, citing that “it would be inconsistent with the present status of the nation.” 1942 marked only the third time Mardi Gras celebrations were canceled in New Orleans, following a trend set when the parade season was suspended during the American Civil War and World War I. The cancellation of New Orleans’ favorite holiday was illustrative of the city’s cultural focus during the war years shifting from French Quarter decadence to American patriotism, ultimately affecting New Orleans society in ways which extended beyond the war effort.⁴²

The growing visibility of vice in the French Quarter, combined with a national impetus on American values during World War II, led to a renewed push by many prominent Louisiana citizens to reform the state’s perceived lack of morals which in the eyes of many had been allowed to flourish in the decades between the two great wars. A year before the United States joined the war in Europe and the Pacific, Archbishop Francis Rummel urged Louisiana residents to fix “all the public scandal, ugly crimes, flagrant injustices, [and] slanders...humiliating our state before the nation.” His call set the tone for municipal priorities during and after World War II, a period led by prominent reformers who believed that the elimination of vice, corruption, and homosexuality would lead to New Orleans’ moral salvation.⁴³

World War II drastically altered and expanded the federal government’s relationship with homosexuality. The urgent need to quickly mobilize an entire generation of young men for combat necessitated the creation of new screening methods used to determine an individual’s

⁴² Jerry Purvis Sanson, *Louisiana during World War II: Politics and Society, 1939-1945* (Baton Rouge: Louisiana State University Press, 1999), 242.

⁴³ Sanson, *Louisiana during World War II*, 42.

combat readiness. The field of psychiatry's role as an authoritative social presence in the United States had grown rapidly in the decades leading up to the war, leading to the inclusion of psychiatrists as major players in the development of these new screening processes for potential servicemen. The act of sodomy between soldiers was already forbidden in the American armed forces, but it was not until World War II that homosexuality was conceptualized, to quote historian Allan Berubé, "as a personality type unfit for military service and combat." The consequences of eliminating homosexuals from military service extended beyond the war, as it essentially redefined homosexuality as an identity as opposed to an action, ultimately injecting the topic of sexual orientation into the national discourse. As Berubé pointedly states, "Their success in shifting the military's attention from the sexual act to the individual had far-reaching consequences."⁴⁴

One important consequence was that the federal redefinition of homosexuality put gay men and lesbians on notice that they were now targets regardless of their sexual activity. The federal government's new attitude toward homosexuality also had the unintended effect of validating the homosocial world as an identity-based community. By defining homosexuality as a personality type while simultaneously deriding its existence, the United States government gave gay men and women a sense of shared identity along with necessitating the formation of strong social ties which could be used to shield themselves from a country increasingly hostile to their existence.

⁴⁴ Allan Berubé, *Coming Out Under Fire*, 1-7; for further scholarship on the history of federal regulation of homosexuality and to what extent the field of psychiatry was involved, see also Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton: Princeton University Press, 2009) and Ronald Bayer, *Homosexuality and American Psychiatry: The Politics of Diagnosis* (Princeton: Princeton University Press, 1987).

Berubé uses Alfred Kinsey's groundbreaking studies of human sexuality to conclude that of the sixteen million citizens enlisted during World War II, 1.6 million male soldiers were probably gay. Despite Berubé's description of "an expanding administrative apparatus" whose mission was to diagnose homosexuality and expel it from the military, the sheer number of young gay men who were suddenly living and working in close proximity made the elimination of the gay element in the military impossible. This new awareness of homosexuality and its classification as a deviancy entered the public discourse during the World War II era. The post-war impetus of targeting homosexuals and expelling them not just from the military, but the community, expanded the discourse surrounding the New Orleans gay community during the 1940s and 1950s as not only a police matter, but a social one as well.⁴⁵

As the dust settled from victories in Europe and the Pacific, soldiers came home to a New Orleans fueled by the political and social spirit of reform. Spearheading this reform movement was deLesseps "Chep" Morrison, who served as the mayor of New Orleans from 1946 to 1961. During the fifteen years historians have dubbed "The Morrison Era," the mayor's brother Jacob took charge of the Vieux Carre Property Owners and Renters Association. Jacob H. Morrison used the VCPORA in his quest to eradicate homosexuals and other "sex deviates" from the French Quarter. The irony is that through Morrison, an organization which had roots in the French Quarter preservation movement started by gay men in the 1920s was turned into a weapon used to eradicate their presence from the French Quarter. As the Morrison Era took shape, the moral crusading of the 1930s was officially revived with a vengeance during the 1950s. Consequently, while a young gay community in New Orleans expanded and became more

⁴⁵ Allan Berubé, *Coming Out Under Fire*, 1-7.

visible after World War II, the municipal moral crusading which daunted them before the war was resurrected by Mayor Morrison, his brother, and their inner circle.⁴⁶

Morrison launched his run for mayor in 1945 directly after being discharged from the Army, leaving him six weeks to mount a reform campaign against the incumbent, Robert S. Maestri. Describing Morrison's mayoral run, one chronicler of the Morrison Era argues that "the general tone of the campaign was that of a holy crusade." Morrison's platform was primarily built on a pledge to destroy political corruption in the city, but the underlying message evoked in his campaign's opening statement points to the more vital mission of eradicating the "evil influences" which corruption had allowed to flourish in the city. Under the Morrison administration, homosexuality was no longer criminalized in coded ordinances prohibiting "vagrancy" or "disturbing the peace," but was targeted directly by name. Consequently, being gay in New Orleans became more dangerous than ever.⁴⁷

Despite having to contend with wartime targeting led by military and health professionals, the New Orleans gay community after World War II was flourishing was flourishing. The writings of poet and author William S. Burroughs illustrate a vibrant gay scene developing in the city after the war. Burroughs moved to New Orleans in 1948 with his wife and infant son. In his memoir *Junky*, Burroughs reveals that despite being married to a woman, he spent a great deal of his brief stay in the city getting drunk in downtown gay bars and searching for discreet sex with other men. Despite regularly nursing a severe alcohol and drug addiction in bars adjacent to Robert E. Lee Circle and in the French Quarter where gay men were known to congregate, Burroughs' memories of his gay experience in New Orleans during the late 1940s

⁴⁶ Joseph B. Parker, *The Morrison Era: Reform Politics in New Orleans* (Gretna, LA: Pelican Publishing Company, Inc., 1974), 62-69.

⁴⁷ Parker, *The Morrison Era*, 62-6.

remained vivid when he wrote his memoir. Summarizing his recollections of the local gay scene, Burroughs bluntly points out in *Junky* that “In the French Quarter there are several queer bars so full every night the fags spill out on to the sidewalk.” Despite his crude use of crude language, Burroughs writings suggest that the postwar growth of the New Orleans’ gay community was beneficial for consolidating a cohesive homosocial world⁴⁸

The Morrison brothers’ reign of terror against vice during the 1950s utilized legislative authority by passing ordinances granting the city expanded powers to shut down French Quarter gay bars as well as police authority manifested in a flurry of perpetual police raids during the decade. Perhaps most effective was the Morrisons’ ability to make moral crusading a cause célèbre in New Orleans during this period. Whereas “Chep” Morrison’s position as mayor made him the leader of the political side of this mission, as the chairman of the legislation committee of the Vieux Carre Property Owners and Associates, his brother Jacob became the leader for an unhappy citizenry beginning to take an increasingly active role in the city’s struggle against vice.⁴⁹

In the spring of 1953, Mayor Morrison asked the state revenue department to revoke the alcoholic beverage permits of fifty New Orleans bars. These bars, according to Morrison, were “constant trouble spots for vice, disturbances, and gambling.” He believed that revoking the bar’s ability to legally sell alcohol would ultimately shutter the business and by extension erase whatever criminal element the bar was facilitating. Eleven of the targeted bars operated in the French Quarter, some of which were being targeted for allowing homosexuals to congregate.

⁴⁸ William S. Burroughs, *Junky: The Definitive Text of “Junk”* (1953; repr., New York: Grove Press, 2003), 73.

⁴⁹ “Cops Map Drive on Vice Bars,” *New Orleans Item*, September 16, 1953.

Morrison's public condemnation of these fifty bars was the beginning of a process he hoped would give the city increased power to shut down undesirable bars and nightclubs.⁵⁰

There were many residents without connections to New Orleans politics or police enforcement who joined Morrison's fight. During the 1950s, the city experienced a rise in organizations targeting crime and the elements believed to foster crime in New Orleans. Grounded in the belief that police corruption had fostered an environment where vice could thrive, particularly in the French Quarter, several groups were commissioned by the city council to address the issue. These citizen-led committees were given expansive investigative powers which allowed them to subpoena and interrogate those suspected of alleged criminal activity in the city as well as within the police department. The three-member Special Citizens Investigating Committee (SCIC) was formed by the city council in early 1951 in response to fears concerning organized crime in the city. Derivatives of the SCIC were subsequently formed, as was the case when the Metropolitan Crime Commission was established by local clergy and businessmen concerned with the city's crime problem. In June of 1953, former F.B.I agent Aaron M. Kohn became the head of the SCIC. Under Kohn's leadership, the committee focused heavily on vice in the French Quarter and surrounding neighborhoods. Along with targeting prostitution, narcotics, illegal gambling, and police corruption, the SCIC targeted homosexuals as well.⁵¹

For many in the community, the presence of homosexuals in the French Quarter was indicative of larger unrelated social ills afflicting New Orleans during the 1950s. Police corruption, organized crime, and prostitution were effusive postwar concerns among local

⁵⁰ "Mayor Demands State Revoke 50 Bar Permits Here," *New Orleans States*, April 1954.

⁵¹ Proposal for an ordinance creating the Special Citizens Investigative Committee Box 11, Folder 4, Special Citizens Investigating Committee Papers, City Archives, New Orleans Public Library, New Orleans (hereafter cited as CANOLA; Press Release, July 7, 1953, Box 11, Folder 5, Special Citizens Investigating Committee Papers, City Archives, New Orleans Public Library, New Orleans, LA; Aaron M. Kohn to Joseph L. Scheuring, September 21, 1953, Box 11, Folder 6, Special Citizens Investigating Committee Papers, CANOLA.

residents, but it was the visibility of homosexuals on city streets and the growing realization that gay people were gravitating to the city which provided locals with a tangible enemy they could point to as responsible for the city's perceived moral collapse. Whereas disgruntled residents may have been unable to effect change in City Hall or the police department, not to mention the physical and intellectual separation most residents felt in relation to organized crime, the regular citizen was more than capable of becoming warriors in the crusade against homosexuality.

The press release written by Kohn announcing the establishment of the SCIC was a veritable call to action for New Orleans residents. Kohn made it clear in his directions to local newspapers that the SCIC was "attempting to reach the maximum possible number of N.O. citizens," and the release urged citizens to provide the committee with any information they may have concerning crime in the city. In particular, twelve questions were asked making clear that the SCIC was focused on the police corruption which allowed vice to exist, and were "urged" to provide any information about police payoffs, prostitution, and "notorious persons."⁵²

While uncovering police corruption was the ostensible purpose of the SCIC, the actual mission of the committee was to circumvent whatever barriers to arrest the police had established. Ultimately, the SCIC's primary objective was to end vice, and the charge of a committee manned by three civilians granted investigatory powers equal to that of the police was to destroy criminality the police refused to eradicate. These powerful citizen activists believed that one reason gay bars existed in the French Quarter was because police officers did not want to arrest prominent members of society known to frequent such bars or engaged in the so-called "uptown marriages." The SCIC used undercover investigators and citizen informants to tackle a problem it felt the New Orleans Police Department was either unable or unwilling to address.⁵³

⁵² Press Release, July 7, 1953, Box 11, Folder 5, Special Citizens Investigating Committee Papers, CANOLA.

⁵³ "Cops Map Drive on Vice Bars," *New Orleans Item*, September 16, 1953.

Although arrests of homosexuals resulting from bar raids had been listed in the local newspapers for decades, the arrest charges were typically coded. If a man was arrested for homosexual activity before World War II, the newspaper generally listed his charges as either “vagrancy” or “disturbing the peace,” signaling to readers the actual reason without overtly mentioning homosexuality. By the 1950s, the habit of New Orleans newspapers coding homosexuality was over, granting the average New Orleans resident a forum in which to air their grievances concerning “the homosexual problem” in their city. One letter written to the editor *The Times-Picayune* and published on March 15, 1954 proclaimed that:

Our city has tolerated the growth of French Quarter establishments which harbor and sell the services of female impersonators, so that on Mardi Gras New Orleanians and visitors alike witnessed such a rash of indecencies as have not been known in our city for a century.⁵⁴

Two months after Kohn had taken over the SCIC, the *New Orleans Item* informed its readers that “Police were mapping a campaign against New Orleans bars catering to sex deviates.” In response to the call by Lee C. Grevemberg, chairman of the Louisiana State Board of Tax Appeals, for the New Orleans Police Department to crack down on suspected gay bars, Assistant Police Superintendent Milton Durel made it clear that the police department was planning to tenaciously go after bars catering to “sexual perverts.” This announcement came in the wake of Grevemberg’s board revoking for six months the liquor license of the bar Cy’s Starlet Lounge for being what the *Item* referred to as “a gathering place for homosexuals.” The downfall of the Starlet Lounge put the rest of the city’s gay bars on notice as to a possibly similar fate if they continued to let homosexuals “congregate” in their establishments. Despite the hearing being hailed as a victory for the moral crusaders, the policemen who were present made it clear that there were still other bars in the city catering to “perverts.” As the face of the reform movement,

⁵⁴ Letter to the Editor, *The Times-Picayune*, March 15, 1954.

Jacob H. Morrison was also present at the hearing, and even served as a witness for the prosecution.⁵⁵

On the night of August 13, 1954, detectives raided two French Quarter bars where suspected homosexuals were employed. James Anselmo, the proprietor of Tony Bacino's Bar at 738 Toulouse St., and Eugene Davis, the proprietor of Le Rendezvous Bar at 640 Bourbon St., were both arrested for violating a city ordinance stating that "no person of lewd, immoral, or dissolute character, [or] sexual pervert...shall be employed in such a place as a singer, dancer, beer carrier, waiter, bartender, waitress, girl bartender or barmaid. Nor shall such persons be allowed to congregate or frequent such places."⁵⁶

Since the city ordinance made being a gay employee of a French Quarter bar a municipal crime, Johnny McFarlin, Dolly Durbin, Henry Case, and Norman Lunden were arrested along with their employers. The ordinance banning the employment of what *The Times-Picayune* described as "questionable characters" was a successful tool used during the moral crusades of the 1950s. It served the dual purpose of giving the police department authority to arrest homosexuals regardless of whether a sex act took place, while simultaneously justifying the NOPD's repeated harassment of bars catering to homosexuals.⁵⁷

The late 1950s was a period of heightened targeting of gay individuals in New Orleans exacerbated by the callousness of city leaders in response to well-publicized violent acts against homosexuals. Illustrative of local attitudes toward homosexuality during this time is the deadly beating of Fernando Rios in 1958. Around 1 a.m. on September 28, two Tulane University

⁵⁵ "Cops Map Drive on Vice Bars," *New Orleans Item*, September 16, 1953.

⁵⁶ "Seven Arrested at Night Spots," *The Times-Picayune*, August 14, 1954; "Court Enjoins Arrests in Bar," *The Times-Picayune*, August 7, 1958.

⁵⁷ "Seven Arrested at Night Spots," *The Times-Picayune*, August 14, 1954; "Court Enjoins Arrests in Bar," *The Times-Picayune*, August 7, 1958.

students were bar hopping in the French Quarter. After hearing that another student, twenty-year old John Farrell, proposed a plan “to get a queer to roll,” twenty-year old Alberto Calvo and nineteen-year old David Drennan decided to join in his plan to mug one of the patrons of the popular gay bar Café Lafitte in Exile. Fernando Rios, a twenty-six-year old Mexican tour guide visiting New Orleans as part of a travel group he was leading, happened to be at Café Lafitte in Exile that night and became their unfortunate target. When Rios left the bar late that night, the young students followed him into N. Orleans alley adjacent to St. Louis Cathedral, and severely beat him on the head and in the abdomen. Rios did not die immediately from the impact of the blows, but the location of his body in the alley made it difficult for casual passersby to notice him in time to possibly save his life. Eventually he was discovered and taken to Charity Hospital, where surgeons performed two operations in attempts to alleviate pressure on the brain of their patient, Rios suffered two black eyes, a dislocated jaw, and a fractured skull. Their attempts to save the man who was still “bleeding profusely” failed and Rios succumbed to his wounds at the hospital. While Rios lay dying his attackers bragged to fraternity brothers about the forty dollars they made off “a queer” the previous evening.⁵⁸

Citing a guilty conscience, John Farrel turned himself and his friends in to police soon after it was reported Rios was dead. When Farrell was arrested a week after the murder, he admitted to striking Rios once in the mouth, but insisted it was in response to Rios making “improper advances” toward him. Farrel told police that his friends had not touched Rios and that the victim never stood back up after receiving one punch and hitting his head during the fall. “The skull was fractured in four places, according to the Coroner’s office. Doctors said Rios had an “unusually thin” skull and this apparently contributed to his death.” When the three men stood

⁵⁸ “Injuries Fatal for Tour Chief,” *The Times-Picayune*, September 29, 1958; “Boast in Fatal Beating is Told,” *The Times-Picayune*, January 22, 1959.

trial, whether or not the intention was to rob Rios as opposed to responding to “improper advances” with violence made the difference between the death penalty and acquittal.⁵⁹

Charged with prosecuting the case was the district attorney’s office chief investigator, John J. Grosch Sr., who described the crime as “brutal murder.” News of the attack and subsequent trial extended beyond American borders, and *The Times-Picayune* reported that according to the Mexican consul in New Orleans, “his country is interested in seeing that justice is done.”⁶⁰

When the three young students went to trial four months after the murder, the state sought the death penalty. Twenty-two witnesses were called to testify, ranging from the police, medical professionals, witnesses, and Tulane students. The subject of homosexuality suffused the entire proceeding, leading Assistant District Attorney Richard A. Dowling to accuse the defendants of attempting to destroy Rios’ reputation after his death. The fact that Rios was gay was used repeatedly as the primary defense. Arguing that punching a gay man was an acceptable response to unwanted sexual advances, one defense attorney told the jury that Farrel was allowed under the law to resist force with force. Considering that the defense’s account of the evening alleged that Rios merely grabbed Farrell’s arm after propositioning him, attorneys for the three young men were ostensibly making the case that violence in response to any form of homosexual advance was akin to self-defense.⁶¹

⁵⁹ “Guide Death Up to Grand Jury,” *The Times-Picayune*, October 1, 1958; “Probe Involves Guide’s Wallet,” *The Times-Picayune*, October 2, 1958; “Charges Filed in Guide Death,” *The Times-Picayune*, October 3, 1958.

⁶⁰ “Indictment of 3 Tulane Students Will Be Asked,” *The Times-Picayune*, October 7, 1958; “New Evidence in Guide Death,” *The Times-Picayune*, October 9, 1958; “Grand Jury to Hear Case Against Tulane Students,” *The Times-Picayune*, October 14, 1958; “Accused Youths to Be Arraigned,” *The Times-Picayune*, October 17, 1958; “Students File Innocent Pleas,” *The Times-Picayune*, November 4, 1958.

⁶¹ “22 Are Called for Rios Case,” *The Times-Picayune*, December 4, 1958; “Murder Trial Slated Today,” *The Times-Picayune*, January 20, 1959; “Students on Trial for Lives Testify,” *The Times-Picayune*, January 22, 1959.

Compounding the defense's argument that the accused students should be acquitted of murder due to the victim making homosexual advances was medical testimony which fed on the era's scientific focus on homosexuality. One medical professional testified that Rios' skull as a quarter of the normal thickness of a human skull, and therefore uncharacteristically susceptible to injury. The implication here is that Rios was more effete and therefore his anatomy made him more susceptible to harm than a masculine man. The jury acquitted the three defendants on all charges.⁶²

The same year that Rios was murdered, city officials were still focused on increasing attention on the homosexual problem. On July 22, 1958, a meeting was held before the city council to address concerns from residents of the French Quarter, religious leaders, and police that there was a need for "stronger action by the city government in dealing with homosexual activities." One Vieux Carre resident explained to the city council that in the walkways surrounding Jackson Square, "There are many muggings committed by these people." Another resident insisted that the police needed to show "more teeth" while patrolling Pirates Alley and Pere Antoine Alley adjacent to the square. Vice squad leader Det. Rene Sabrier characterized the homosexual problem as existing on an epidemic scale. He explained to the city council that he had recently traveled to Chicago, Louisville, Lexington, Cincinnati, Boston, Philadelphia, New York, Baltimore, and Washington, concluding that "all have the same problems that we have." Although homosexuals had been targeted in the French Quarter before, there was a sense of urgency to counter what the council considered an explosion in the number of gay people moving to New Orleans.⁶³

⁶² "Students on Trial for Lives Testify," *The Times-Picayune*, January 23, 1959; "Jury Acquits 3 Students Tried in Killing of Guide," *The Times-Picayune*, January 24, 1959.

⁶³ "Action Set to Curb Deviates," *The Times-Picayune*, July 23, 1958.

In response to the concerns raised, the committee spent the next year doing their homework. Exhibit A of the final “Report of Committee on the Problem of Sex Deviates in New Orleans” was in the form of a letter from Superintendent of Police Provosty A. Dayries summarizing the concerns of the committee:

The city of New Orleans is faced with a problem which on the surface appears difficult to solve. This is the problem of homosexuals and lesbians...Apparently the French Quarter of New Orleans has an atmosphere which appeals to these people, who are undesirable element in our community. Other types of undesirables are generally easy to handle, because, for the most part, they are vagrants who can be handled under existing legislation...It is a different story with the homosexuals and lesbians. Most of them are gainfully employed, or have a source of income from their families, and are not engaged in crime for profit. However, the assembly of these persons for pastime, at a particular location, results in complaints from residents of the immediate vicinity. Although we know certain establishments cater almost exclusively to such persons, there is no way of proving such to be the case...We are interested in determining whether or not other cities have had such a problem, and if so, what steps have been taken to solve said problem... 1-Is there any special legislation for handling such undesirables? If so, copies will be appreciated...2-If you have no special legislation, then what action is taken, if any, to keep these persons out of your city?...3-Do you take action against lounges or bars which cater to these persons?...4-If action is taken against bars, is it through special Ordinance, or is it through strict enforcement of all other regulations concerning bars?...Any recommendations you might make for the solution of our problem will be appreciated.⁶⁴

During the year which followed Davies’ letter, the committee worked hard to address the police superintendent’s questions. The committee petitioned several major cities across the United States for information concerning how they regulate homosexuality within their municipalities. Many cities responded to queries about antigay legislation and enforcement. Exhibit “B” and Exhibit “C” of the committee’s report cataloged these city ordinances to combat homosexuality. Their findings support the narrative that since World War II there had been a drastic increase in laws targeting homosexuals. The committee concluded that Louisiana was behind in this trend of

⁶⁴ Mayor’s Special Citizens Committee, Jacob Morrison et al., “Report of Committee on the Problem of Sex Deviates in New Orleans,” 1959, Box 102, Folder “Committee on Sex Deviates Reports,” MSS 553, Mary Meeks Morrison and Jacob Morrison Papers, The Historic New Orleans Collection, New Orleans (hereafter cited as THNOC).

enforcement in not enacting any postwar statutes targeting “defective delinquents.” The committee’s report concluded with the declaration that the “control of sex deviates” was paramount in addressing Dayries’ concerns.⁶⁵

In response to requests that “stronger action” be taken against homosexuality, on July 22, 1958, a citizens committee was formed by City Hall “to study and make recommendations for dealing with homosexuality in New Orleans, particularly in the Vieux Carre.” Mayor Morrison’s half-brother Jacob H. Morrison was tasked with putting together and overseeing the committee. As the report eventually produced by the committee would state a year later, Morrison recruited as committee members “residents and civic workers from the area who had first-hand experience in coping with the behavior of the homosexual pervert and the lesbian.” Representative from the Metropolitan Crime Commission, the Chamber of Commerce, and the Young Men’s Business Club made up the commission, and despite desires for religious representatives to join, their recruitment concluded “without complete success.”⁶⁶

Ostensibly, the committee was formed in order to figure out how the police could arrest someone for specifically being a homosexual, regardless of the sexual conduct which fell under the auspices of the crimes against nature ordinance. As the New Orleans police superintendent bluntly summarized the problem for the city council, “You cannot just point to a person and say that he or she is a sex deviate...that is one frustrating thing about the problem.” Essentially, the reformers believed that the traditional method of arresting homosexuals for violating vagrancy or loitering laws did not go far enough to address the problem. It was the commission’s duty to

⁶⁵ Mayor’s Special Citizens Committee, Jacob Morrison et al., “Report of Committee on the Problem of Sex Deviates in New Orleans,” 1959, Box 102, Folder “Committee on Sex Deviates Reports,” MSS 553, Mary Meeks Morrison and Jacob Morrison Papers, CANOLA.

⁶⁶ “Action Set to Curb Deviates,” *The Times-Picayune*, July 23, 1958; Mayor’s Special Citizens Committee, Jacob Morrison et al., “Report of Committee on the Problem of Sex Deviates in New Orleans,” 1959, Box 102, Folder “Committee on Sex Deviates Reports,” MSS 553, Mary Meeks Morrison and Jacob Morrison Papers, THNOC.

figure out the extent of “the homosexual problem,” as well as propose the best method for codifying and enforcing effective antigay laws primarily in the French Quarter.⁶⁷

From the beginning, however, it was clear to committee members and others concerned, that revoking the alcoholic beverage permits of known bars patronized by gay men and lesbians was a vital step in addressing the city’s homosexual problem. Jacob Morrison insisted at the original city council meeting forming the committee he would be tasked with leading that “the whole thing revolves around the control of barrooms, night clubs and the places where people congregate.” French Quarter bars were once again the first line of attack in the city’s war on sex deviates.⁶⁸

The concern for the reformers and moral crusaders was the legal justification for revoking a bar’s liquor license merely on the grounds that it was a location where homosexuals were known to congregate. Morrison made clear that repeatedly raiding bars can cause them to shut themselves down, as had been the case with the Powder Puff during the 1930s. Despite the admonition that perpetual police harassment was “an effective remedy,” the committee he spearheaded was determined to discover a more effective solution.⁶⁹

In April, 1959, the city attempted to deny a liquor license to the Gaslight Bar at 738 Toulouse St. in the French Quarter. *The Times-Picayune* description of the objections being levied against the bar as “allegations that sex perverts were employed as bartenders in the place, and that it was a known rendezvous of sex perverts.”⁷⁰

By 1958, Jacob H. Morrison’s personal crusade against the New Orleans gay community reached a fever pitch. Repeated raids occurred in French Quarter gay bars, and the new

⁶⁷ “Action Set to Curb Deviates,” *The Times-Picayune*, July 23, 1958.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ “Liquor License Action Denied,” *The Times-Picayune*, April 21, 1959.

ordinance championed by Morrison which circumvented the need for investigators to catch a gay sex act occurring or being solicited became the reformers' most effective weapon. This ordinance not only expanded police powers in order to arrest bar patrons, but made it much easier to arrest the bar owners and bartenders as well.

The reform movement spearheaded by Morrison reached a crescendo in 1958, when the years of work led by various citizen-led organizations targeting vice in New Orleans finally began to yield satisfactory results. By 1958, the VCPORA had successfully usurped the police department as the veritable watchdog for French Quarter residents who were disgusted to live alongside gay bars. The group's membership paid careful attention to bars suspected of catering to sex deviates, and one by one the organization tried to shut them down.

An early victim of the reformers' crusade was the Satellite Club at 540 Burgundy St. in the French Quarter. The VCPORA had its sights on this bar for a while, evidenced in internal memos describing the bar as "a place of iniquity" frequented by "drunken perverts" who allegedly hurled insults at VCPORA members who passed by the bar.⁷¹

Although the rhetoric employed by newspapers, arrest reports, and the SCIC's public statement conceptualized New Orleans' "homosexual problem" as essentially a gay male phenomenon, reformers were becoming aware that certain bars appeared "to be a rendezvous for individuals of neuter gender" who would "race cars back and forth most of the night, screaming and shouting at the same time."⁷²

Morrison presented a petition to City Hall detailing the reformers' grievances against the Satellite Club, but ultimately he and his compatriots concluded that the municipal government

⁷¹ Inez Phillips to L.J. Dumestre, April 29, 1958, Box 102, MSS 503, Mary Meeks and Jacob Morrison Papers, THNOC.

⁷² Ibid.

and the police department were once again doing too little to rid the city of bars catering to “sex deviates.” Philip J. Kroll, a French Quarter resident who lived close to the Satellite Club, became so concerned by “the most shocking exhibition of lewdness” when he happened to enter the bar one day and witness two men dancing together, that he volunteered his French Quarter home as a meeting place for the VCPORA to discuss how to finally get the Satellite Club shut down.⁷³

The ultimate solution to the city’s homosexual problem, according to the “Committee Investigating Sex Deviates,” was to switch focus from gay individuals congregating in bars to the bar owners. The committee concluded that a more effective method to expel homosexuals from the French Quarter would be to revoke a gay bar’s alcoholic beverage permit. Without an available Vieux Carré location in which to congregate, the logic followed that the neighborhood’s gay population would eventually leave the community. When Morrison proposed to the city several amendments expanding the city’s ability to shut down these bars, Assistant City Attorney David H. MacHauer remarked that they would lead to “sizable changes in the Alcoholic Beverage Ordinance.” There was no ambiguity as to the ultimate purpose of the proposed “substantial amendments,” as they focused entirely on “the congregation of sex deviates and other undesirables.”⁷⁴

After their successful dismantling of the Satellite Club’s ability to operate, the reformers turned their sights to a bar named “Tony Bacino’s” at 738 Toulouse St.. Although Bacino’s was known for being a bar open to homosexuals, MacHauer still believed that revoking its alcoholic

⁷³ Inez Phillips to L.J. Dumestre, April 29, 1958, Box 102, MSS 503, Mary Meeks and Jacob Morrison Papers, THNOC.; L.J. Dumestre to Col. Provisty A. Dayries, May 5, 1958, Box 102, MSS 503, Mary Meeks Morrison and Jacob Morrison Papers, THNOC.; Jacob H. Morrison to Edith Long, May 23, 1958, Box 102, MSS 503, Mary Meeks Morrison and Jacob Morrison Papers, THNOC.; Notarized statement made by Philip J. Kroll, 1958, Box 102, MSS 503, Mary Meeks Morrison and Jacob Morrison Papers, THNOC.; William J. Long to Jacob H. Morrison, July 6, 1958, Box 102, MSS 503, Mary Meeks Morrison and Jacob Morrison Papers, THNOC.

⁷⁴ David H. MacHauer to Lee G. Lowe, October 15, 1958, Box 102, MSS 503, Mary Meeks Morrison and Jacob Morrison Papers, THNOC.

beverage permit would prove more difficult than the Satellite Club as there was little physical evidence of lewdness or lawbreaking. Therefore, the only weapon they had at their disposal was an ordinance banning the employment of homosexuals in French Quarter bars. This approach proved incredibly effective in destroying the ability of French Quarter gay bars to operate.

After suffering from repeated police harassment, San Anselmo, the proprietor of Bacino's, applied for an alcoholic beverage permit on December 9, 1958. Ten days later, the Bureau of Revenue, the governing body which issued these permits, sent a registered letter to Anselmo denying his request for a renewal. The Bureau informed him that his renewal permit was being denied because he "failed to meet character qualifications," as well as "For having employed sex perverts" and "For having allowed sex perverts to frequent the premises." The Bacino's case was a pivotal moment for the New Orleans gay community as it set the precedent that any bar allowing homosexuals on the premises could easily be shut down by the city.⁷⁵

Anselmo then decided to sell the bar to his nephew, who was granted a permit. But their initial successes only emboldened the reformers of the VCPORA, who hounded the Bureau of Revenue to revoke the permit issued to Anselmo's nephew when he bought the bar from his uncle after he lost the alcoholic beverage permit. During the hearing to decide whether Anselmo's nephew would be granted a new permit, the VCPORA came out in full force. They argued that selling the bar within the family was merely a front used to hide the fact that Anselmo was still secretly running the bar. Ultimately, the new permit was revoked and Bacino's was ordered to shut down completely. Once again, the reformers' determination to shutter every gay bar in the French Quarter had generated a success.⁷⁶

⁷⁵ David R. McGuire, Jr. to Lee G. Lowe, memorandum, March 6, 1959, Box 102, MSS 503, Mary Meeks Morrison and Jacob Morrison Papers, THNOC.

⁷⁶ Ibid.

Under the watchful eye of Jacob H. Morrison's Sex Deviate's Committee and the VCPORA, gay men were not the only victims of the reformers during the 1950s. A month after the bar formerly known as Bacino's lost its alcoholic beverage permit, bartender Mary D'Amico was arrested for "wearing clothes of the opposite sex." D'Amico was a lesbian who worked at Cathy's Bar at 514 Ursuline St. in the French Quarter. On February 20th, 1959, police officers raided Cathy's "on a routine check for undesirables." They arrested D'Amico for being "Attired in male clothes." D'Amico's work ensemble consisted of a button-down shirt and slacks, and she insisted to the police that she was merely "accustomed to male attire." Despite her plea, the police took her manner of dress as proof D'Amico was a lesbian in the bar's employ, which violated several city ordinances. Despite her arrest based solely on her "butch" appearance, D'Amico's arrest charges were dismissed three days later because "no proof could be offered at time of the subject being a 'Lesbian'." ⁷⁷

The late 1950s was a particularly difficult period for the New Orleans gay community. As the definition of what it meant to be gay had been expanding since the end of World War II, the range of ordinances targeting homosexuals expanded as well. A gay person becoming the target of violent attacks and police harassment was not a new phenomenon, but these acts had traditionally taken place out of the public eye. The 1950s marked a period in New Orleans history when hostility toward its gay population became a uniquely public cause for many New Orleans residents. The public glee which accompanied the acquittal of Fernando Rios' murderers signaled to the gay community that the city they called home did not care whether they lived or died. Bars that allowed gay men and lesbians to congregate openly were the safest locations,

⁷⁷ Provosty A. Dayries to Jacob H. Morrison, February 25, 1959, Box 102, Folder "Committee on Sex Deviants, newsclips, reports, and correspondence, 1958-1959," MSS 503, Mary Meeks Morrison and Jacob Morrison Papers, THNOC.

relatively speaking, in which a homosocial world could develop within the city. The newly expanded antigay criteria for acquiring an alcoholic beverage permit put gay-friendly bars at a risk unseen before the 1950s, as well as made it virtually impossible for homosexuals to find jobs in the service industry. As New Orleans' economy was primarily fueled by tourism, these new ordinances threatened the ability for many gay residents to not only socialize, but make a living.

On November 12, 1960, Ed Solomon expressed to a friend in a letter that "It is getting to the point that they have closed all but four of the bars here, and closed two of the greatest theaters." As raids on bars increased, gay men and lesbians were less likely to risk visiting gay bar, and as Solomon complains in his letter, "Naturally when the gay patrons abandon a place, then it usually has to close its doors, because the transition to straight is too nearly impossible."⁷⁸

Solomon's statement that only four clubs were still operating "where the gays could dance with other gays" underscores the general fear in the New Orleans gay community by 1960 that if this trend continued it would ultimately find the city's gay population "back on the street, which hasn't been going on in nearly six years." Solomon's prediction underscores why New Orleans had become such a seductive locale for young gay men and women to relocate:

We had places to go, and we went. We gladly abandoned the streets. We gladly abandoned the parks. We gladly abandoned the museums and such. We had places we could go... The idea, I understand is to force the gay people out on the streets so they can be picked up for loitering, vagrancy, public display of homosexuality, etc.⁷⁹

Yet, the increased effectiveness of an increasingly antigay culture during this period was not successful in its goal to drive the New Orleans gay population out of the French Quarter. Instead, it caused them to develop creative organized systems to combat or circumvent the vice raids

⁷⁸ Ed Solomon to Dal McIntire, November 12, 1960, Box 37, Folder "Ed Solomon," ONE Editorial Correspondence, ONE Inc. Records, COL 2011.001, ONE National Gay and Lesbian Archives, Las Angeles, California.

⁷⁹ Ibid.

which were effectively shutting down their primary locations to socialize. The lesbian community was especially successful for developing and utilizing new techniques for survival. New Orleans' lesbian population utilized a "takeover strategy" in order to establish lesbian-friendly bars. The takeover strategy was a process in which scouts for the lesbian community would locate financially at-risk bars whose owners would welcome any new influx of customers. Once the scouts located bars for a possible takeover, the word was spread throughout the lesbian community and the takeover would be complete. There were several bars in which the takeover strategy was particularly effective, and although it was not always successful, a takeover resulted in The Tiger Lounge located on Tchoupitoulas St. becoming the city's first bar catering primarily to lesbians during the 1950s.⁸⁰

The threat the reformers posed to both the city's gay male and lesbian population brought gay men and lesbians together in a manner which had previously not existed in New Orleans. Despite a commonality in sexual orientation, both groups had historically kept to their own gender specific social circles and bars. But the increased threat of the 1950s necessitated that lesbians adopt the mostly male gay bars in the quarter as new and official places to socialize. Dixie's Bar of Music, for example, had been run by a lesbian for decades, but had catered almost exclusively to gay men until the 1950s. It was in male dominated gay-friendly bars like Dixie's that lesbians and gay men started to find solidarity in their mutual suffering.⁸¹

Having both sexes in the same establishment also provided new and creative defense mechanisms to counter the increased police presence. During police raids, it was not uncommon for same-sex dance partners to quickly start dancing with partners of the opposite sex, providing

⁸⁰ Caroline Olsson, "Not All That Easy: Survival Strategies in Lesbian Bar Life in New Orleans 1950-1975" (master's thesis, University of New Orleans, 1999), 10.

⁸¹ Ibid.

the appearance of heterosexuality. Likewise, new codes of conduct became essential for gay patrons who were always at risk of talking to an undercover investigator. One never revealed their last name or home address during conversation, as new ordinances made even the appearance of homosexuality a crime. Thus, coded language was employed when one made plans to visit a gay bar, allowing only other homosexuals to know the actual location where they were meeting with other gays.⁸²

The precedent being set that a woman was just as likely to be arrested for wearing clothes “opposite one’s gender” as a man, it became important for “butch” lesbians to forgo masculine dress and hairstyles for socially accepted dresses and makeup. As for the bar owners, the necessity of bribing the police in order to prevent raids became an expected cost of doing business. Otherwise, bar proprietors and bartenders had to be extremely careful about the behavior being exhibited in their bars, leading some to establish dress codes and ban same-sex touching during this era of heightened vulnerability.⁸³

The confluence of political and social reformers, buttressed by a galvanized citizenry, made the first couple of decades following the end of World War II the most difficult period yet for the nascent gay community in New Orleans. Since the 1920s, New Orleans had achieved a reputation as a desirable city for gay men and lesbians to relocate. Although anti-sodomy laws had made gay sex illegal for generations, the gay population expanded dramatically after World War II. This was hardly the case for most United States cities, where gay social spaces were relegated to discreet public locations like parks, libraries, and movie theaters.

While always marginalized and harassed, the pre-1950s gay and straight social spheres had clear lines of demarcation, and the issue of homosexuality was barely mentioned in public

⁸² Caroline Olsson, “Not All That Easy,” 10.

⁸³ Ibid., 13-19.

discourse. This changed dramatically in the 1950s, when powerful citizen activists known as “reformers” made the issue of eradicating any homosexual presence in New Orleans a topic of extreme importance for the straight community. The push for moral reform was compounded by a socially crusading mayor and likeminded city council granting unprecedented investigative power to citizen-led organizations. Although these organizations were tasked broadly with targeting vice, they placed particular importance on addressing the city’s “homosexual problem.”

The reformers succeeded in ways the police and legislature had been unable to accomplish. An overhaul of antigay municipal ordinances and liquor laws gave the city greatly expanded powers to target gay men and lesbians where they felt most comfortable being themselves. By the late 1950s, gay bars were being shut down one by one, leaving a growing gay community angry as opposed to afraid.

4 LIBERATION DEFERRED

At first glance, the moral crusading championed by the Reformers during the 1950s succeeded in its mission to expel homosexuals and other perceived “sexual deviates” from the French Quarter and by extension New Orleans. Largely championed by citizen organizations with ties to Mayor deLesseps “Chep” Morrison, the Reformers’ viewed their mission to revamp the city’s reputation for facilitating vice and corruption as largely successful. More importantly, they had successfully galvanized many New Orleans residents to demand more from a local police force increasingly vilified for allowing establishments facilitating illegal gambling, prostitution, and homosexuality to operate. At the tail end of the Morrison administration, the French Quarter of the 1960s promised to be completely different from the moral depravity the Reformers believed pervaded the previous decades. What the Reformers did not count on was that the excising of homosexuals from the French Quarter did not destroy the city’s gay community altogether, but strengthened it in ways never before experienced. During this postwar period of vulnerability, gay men and lesbians formed alliances necessitated by the mutual struggle against the growing antigay culture. Before the 1960s, homosexuals in New Orleans had specific locations offering varying degrees of protection in which to congregate and socialize. The Reformers forced them to redefine where gay spaces existed.

The 1960s ultimately became not a decade of dissolution for the New Orleans gay community, but a period of communion. Whereas the 1958 murder of Fernando Rias may have frightened many homosexuals who walked the same French Quarter streets where the young man was left for dead, another well-publicized attempt to destroy a gay man in New Orleans a decade later will be the harbinger for massacre of thirty-two men and women during the arson of a French Quarter gay bar in 1973.

One of the earliest residential neighborhoods in New Orleans to eventually self-identify as overwhelmingly gay began to develop in the Marigny neighborhood adjacent to the French Quarter during the early 1960s. The Faubourg Marigny, as it was known, provided a variety of amenable factors necessary to facilitate what would become the city's largest gay populated neighborhood. One important factor for this to develop was the establishment of the Louisiana State University at New Orleans (LSUNO) in 1958. After years of local demand for a public university in New Orleans, LSUNO was opened along the banks of Lake Pontchartrain near the Orleans Parish neighborhood of Gentilly. The university's supporters assumed LSUNO would exist as a "commuter's college" populated primarily by local residents who would drive to school every day and return home after courses were complete. The Marigny provided the perfect residential accommodations for young faculty members moving to New Orleans to work at the new university. The Marigny soon developed a reputation among relocating gay professors as a neighborhood welcoming of young gay men.⁸⁴

The Marigny provided an ideal neighborhood for young gay men to relocate. The Gentilly neighborhood surrounding LSUNO was viewed as suburban in style and family-friendly. For a young gay faculty, Gentilly was unlikely to welcome perceived subversive elements into their community. On the other hand, the Marigny provided cheaper rents than the gay-friendly French Quarter, but was still close enough to the Vieux Carre to embody the area's culture of acceptance. Also, the Faubourg Marigny bordered Elysian Fields, a street connecting the Mississippi River to Lake Pontchartrain. Elysian Fields provided a convenient straight route by bus or car to anyone needing to commute from the Marigny to the lakefront, ostensibly as far

⁸⁴ Lawrence Knopp, "Gentrification and Gay Neighborhood Formation in New Orleans: A Case Study," in *Homo Economics: Capitalism, Community, and Lesbian and Gay Life*, ed. Amy Gluckman and Betsy Reed (New York: Routledge, Inc., 1997), 47-50; Robert L. Dupont, *On Higher Ground: The University of New Orleans at 50* (New Orleans: University of New Orleans Publishing, 2008), 32.

as you could travel in both directions before hitting water. The convenience of transport despite distance contributed to the Marigny's cache among the university's young gay faculty.

Developing concurrently to the city's first gay neighborhood was the birth of modern gay Mardi Gras, whose "Krewes" were in part a response to elevated antigay harassment during the 1950s. Gay bars were being raided with a frequency that forced many to shut their doors. Likewise, gay individuals were more at risk for harassment and arrest when they entered a gay-friendly establishment than during previous decades. As with the Marigny, gay Mardi Gras organizations provided many in the gay community of the 1960s a different space to socialize.

Although sexual fluidity had been a theme of Mardi Gras since its inception, the origin of modern "Gay Mardi Gras" in New Orleans traces back to 1949, when a group of gay friends gathered for lunch on Lundi Gras (the Monday before Mardi Gras day) at the prestigious Brennan's Restaurant in the French Quarter. The "Fat Monday Luncheon" became an annual tradition among the city's gay elite. It was not until 1958, however, that the first gay Krewe was formed, paving the way for several prominent gay Krewes to be founded during the 1960s.

When the Krewe of Yuga was founded in 1958, its founders did not intend for it to be a serious rival to the various mainstream Krewes with exclusive memberships. Their aim was to satirically send up the anarchic rituals of courtly pomp and circumstance which major Krewes like Rex and Comus tenaciously clung to. Even the Krewe of Yuga's name was a spoof of the KY brand of sexual lubricant. The point of the first Mardi Gras Krewe was to mock the Carnival elites and have fun doing so in a secure environment. Likewise, it provided members with the opportunity to stage their own Carnival ball, during which they don their most glamorous dresses and be celebrated for their feminine beauty.⁸⁵

⁸⁵ Reid Mitchell, *All on a Mardi Gras Day: Episodes in the History of New Orleans Carnival* (Cambridge: Harvard University Press, 1995), 143.

In 1961, the Krewe of Petronius was founded as the city's second gay Krewe. The Krewe of Yuga rented out a day care center called the Rambler Room in the New Orleans suburb of Metairie as a location for their Carnival ball. After the Krewe of Yuga's success staging several balls in the venue, the Krewe of Petronius followed suit and held their first ball at the Rambler Room on February 17, 1962. The first Queen and Captain of Petronius were Carlos Rodriguez and Jojo Landry, respectively. With two gay Krewes holding annual balls, the door appeared open for new gay Krewes to follow suit.⁸⁶

However, a week after the successful first Petronius ball, the Krewe of Yuga's annual celebration ended in disaster. As the festivities raged inside the Rambler Room, noise complaints from neighbors prompted a police raid of what *The Times-Picayune* later described as a "stag party." When Capt. Sam LeBlanc led the raid on what was in his words a "very lewd party," chaos quickly ensued. Krewe members, some of which were dressed as women, tried to flee the scene, forcing some to run from police dogs in complete drag. It was reported that one man was found hiding out in a sewer pipe after jumping out one of the hall's windows. By the end of the raid, ninety-six men were arrested and charged with disturbing the peace. Despite the city's first gay Mardi Gras ball abruptly ending soon after it began, gay revelers were not deterred from establishing more gay Krewes.⁸⁷

Ball locations during the early years of "Gay Mardi Gras" were not revealed until the days leading up to the event, greatly decreasing the risk of being raided. Likewise, because none were admitted without a personal invitation, it was virtually impossible for an undercover vice officer to infiltrate the balls. Despite the 1962 raid on the Krewe of Yuga's annual ball, rented

⁸⁶ Howard Philips Smith, "The Birth of the Krewe of Petronius and How Queens Ruled the Stages of Mardi Gras," Krewe of Petronius, accessed March 1, 2016, <http://www.kreweofpetronius.net/history.html>.

⁸⁷ "96 Are Booked After Police Raid," *The Times-Picayune*, February 26, 1962.

venues provided a private alternative to gay-friendly bars open to the public. Cross-dressing Krewe members danced and performed with abandon, and members less interested with the pomp and circumstance embodied in Carnival ball tradition were provided the opportunity to party with friends.

After the Krewes of Yuga and Petronius were founded, the Krewe of Amon-Ra was established in 1966, followed two years later by the Krewe of Armeinuis. Another advantage of the gay Krewes was that it provided members opportunities to socialize outside of the Carnival season. Periodic fundraisers were held during the months leading up to a season's ball. Most of these fundraisers were held in bars, tightening the social bonds of gay members as well as the gay public at large. That said, the postwar response to perpetual harassment was to move further into the closet. Coded language and alternative social spaces may have protected some from incarceration, but did little to shift a local culture which remained hostile to homosexuality.⁸⁸

The advent of gay neighborhoods and Mardi Gras Krewes in New Orleans during the 1960s were a sign of the resilience and dynamism of the postwar gay community. Conversely, they were also byproducts of an absence of social consciousness within the city's gay community. These new gay spaces were balkanized and isolated, largely denying entrance to those who were not connected, white, male, and middle class. Despite attempts to mock their heteronormative courtly values, the early gay Mardi Gras Krewes operated in a similar manner to the "straight" Krewes. They were apolitical private clubs whose sole purpose was to provide organized festivities to select members. Despite the advent of gay Krewes and neighborhoods, the stakes were apparently still too high for radicalization, as the Cold War specter cast a pall over the possibility of political mobilization. That is not to say that the pioneers of gay Mardi

⁸⁸ George Chancey, *Why Marriage?: The History Shaping Today's Debate Over Gay Marriage* (New York: Basic Books, 2004), 25.

Gras were not brave in their ability to flaunt inherently homophobic traditions. The celebration of wearing clothes opposite one's gender was indeed a rebellious and political act, as it could lead to loss of life, freedom, and reputation. Yet despite the early successes establishing a stronger gay community, there was little evident desire for messaging. This fact is perhaps most chillingly exposed when community successes are juxtaposed against the 1967 arrest of a prominent gay local businessman for conspiring assassinate an American president.

Clay Shaw was born in Kentwood, Louisiana in 1913 and moved with his family to New Orleans when he was five years old. As a young man, Shaw served in the United States Army during World War II. After leaving the military, Shaw helped found the International Trade Market (ITM). The ITM functioned as a promoter for the Port of New Orleans, staging trade shows and conferences in primarily Latin American countries to disseminate information about the benefits of using the city's port. Correspondence exists proving Shaw was a friend of Lyle Saxon, and like Saxon, he was passionate about preserving the French Quarter neighborhood he called home. On March 1, 1967, Clay Shaw was arrested under the direction of Orleans Parish District Attorney Jim Garrison and charged with conspiring to assassinate President John F. Kennedy nearly four years prior.⁸⁹

At the time of his arrest, Shaw was a prominent businessman and respected French Quarter preservationist. On the cusp of his forty-fourth birthday, he was a handsome bachelor whose full head of grey hair and dark rugged features implied many more years of graceful aging. Unbeknownst to most of his New Orleans admirers, he was also a homosexual who was very popular in the gay community. Unfortunately for Shaw, his status in the local gay scene

⁸⁹ "First Lease Due for Trade Mart," *The Times-Picayune*, March 9, 1946; Martha Anne Samuel, "One-Man Restoration Society," *The Times-Picayune* May 24, 1964; "Clay Shaw Lived in Luxury as Witty, Cultivated Man," *Morning Advocate*, March 3, 1967.

provided the “flamboyant” District Attorney with the motive necessary to indict the businessman.⁹⁰

The mental gymnastics required to paint homosexuals with the brush of Cold War paranoia became calcified during the McCarthy era. Derivative of the so-called “Red Scare,” the State Department purged homosexuals from its employ during the “Lavender Scare” of 1950s and 1960s. During a period when gay-baiting was being used to demonize the civil rights movement, similar methods provided the suspicion that gay people were more likely to sympathize with those scheming to overthrow the American government. The precedent set by the scientific community’s rejection of homosexuals as mentally fit for serving in the armed forces during World War II informed Lavender Scare paranoia. Consequently, during the Cold War, homosexuality was viewed as a “sexual perversion” which posed a possible “threat to national security” due to their increased vulnerability to blackmail for state secrets.⁹¹

Within this context, homosexuals like Clay Shaw and fellow suspect David Ferrie became de facto Cold War suspects. As far as Garrison was concerned, after the Kennedy assassination attention needed to be paid to any homosexual critical of the president. Garrison publicly never raised the subject of Shaw’s sexuality on the record, maintaining that Clay Shaw, Lee Harvey Oswald, Jack Ruby, and David Ferrie were members of an inchoate cabal of conspirators populated by “CIA-supported anti-Castro Cubans” who originally intended to kill Castro but were ultimately swayed by Ferrie to assassinate President Kennedy instead. Despite

⁹⁰ Patricia Lambert, *False Witness: The Real Story of Jim Garrison’s Investigation and Oliver Stone’s Film JFK* (New York: M. Evans and Company, Inc.), xiii; see also James Kirkwood, *American Grotesque: An Account of the Clay Shaw-Jim Garrison Kennedy Assassination Trail in New Orleans* (New York: Simon & Schuster, 1970) and Joan Mellen, *A Farewell to Justice: Jim Garrison, JFK’s Assassination, and the Case That Should Have Changed History* (Washington, D.C.: Potomac Books, Inc., 2005);

⁹¹ Lambert, *False Witness*, 38; see also David K. Johnston, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: The University of Chicago Press, 2004); Sidney Blumenthal, “The Cold War and the Closet,” *New Yorker*, May 17, 1997.

his reluctance to publicly emote this theory, Garrison's off-the-record comments to reporters betray his suspicion that sexual perversion was the catalyst for the assassination plot.⁹²

Despite subsequent claims that his remarks were off the record, when Garrison was interviewed by *Saturday Evening Post* reporter James Phelan in 1967, he made it clear that he believed prominent New Orleans homosexuals were responsible for the assassination. Aside from convicting Shaw, Garrison's case rested on providing evidence proving that the recently deceased David Ferrie was a key conspirator. The *Post*'s description of Ferrie paints the portrait of a man less political revolutionary and more pathetic factotum. Phelan describes Ferrie as an "exotic loser" whose "long record of failure" included being fired from his career piloting airplanes due to "homosexual activity." Despite a sad resume including a failed attempt at the priesthood and the acquisition of a dubious psychology degree from a "diploma mill," Garrison assured Phelan in the article that Ferrie was "one of history's most important individuals."⁹³

Garrison allegedly explained to Phelan off the record that "You can understand his motivation. Kennedy was a virile, handsome, successful man-everything Ferrie was not. In addition, there was the thrill of staging the perfect crime. Remember the Loeb and Leopold case in Chicago? It was the same thing with Kennedy." Furthermore, Garrison claimed that Oswald and his murderer, Jack Ruby were also gay and that Ruby's "homosexual nickname was Pinkie." Garrison's implication was Ruby murdered Oswald to prevent him from revealing his involvement in the assassination. After interviewing Garrison for ten hours about his investigation, Phelan concludes in his article that "Boiled down, his version of the Kennedy

⁹² Lambert, *False Witness*, 89.

⁹³ Jim Garrison to Jerrold R. Footlick, January 22, 1968, Folder "1968, January-March," JFK Assassination Investigation Records, Orleans Parish (La.) District Attorney's Office Collection, City Archives, New Orleans, Louisiana, CANOLA; James Phelan, "Rush to Judgment in New Orleans," *Saturday Evening Post*, May 6, 1967.

assassination made it out to be the result of a homosexual conspiracy masterminded by David Ferrie.”⁹⁴

To prove Shaw’s involvement, Garrison first had to connect the homosexual social relationships between his suspects, and by extension provide testimony putting Ferrie, Shaw, and Oswald in the same room on several occasions. Garrison found his key witness in Perry Russo, a 25-year old insurance salesman whom Phelan described as “dark-haired and somber.” During Shaw’s preliminary hearing, Russo revealed that he first met Ferrie while attempting to, as the *Post* described it, “extricate a young friend from Ferrie’s influence at the request of his friend’s parents.” Russo’s testimony provided the basis for Garrison’s “homosexual thrill-killing” theory by establishing that Ferrie was a gay man prone to violent outbursts and threats.⁹⁵

The crux of Garrison’s case against Shaw was based on the Warren Report testimony of private investigator Dean A. Andrews, which the *Post* summed up in “three major points”:

1. During Oswald’s stay in New Orleans in 1963, Oswald had come to his office for legal help about his discharge from the Marines, and had been accompanied by some “gay kids, Mexicanos.”
2. Someone by the name of “Clay Bertrand” called Andrews from time to time and asked him to represent homosexuals in trouble with the law.
3. The day after Kennedy’s assassination, Andrews, who was hospitalized with pneumonia, received a phone call from “a voice I recognized as Clay Bertrand.” The caller asked Andrews if he would go to Dallas and defend Oswald. Andrews told the caller he was sick, and nothing more came of it.⁹⁶

Garrison was certain the mysterious Clay Bertrand was actually Clay Shaw, who used the alias in order to navigate the New Orleans gay underworld. When Andrews was questioned by the grand

⁹⁴ James Phelan, “Rush to Judgment in New Orleans,” *Saturday Evening Post*, May 6, 1967.

⁹⁵ Ibid.; Perry Russo Trial Testimony, *State of Louisiana v. Clay Shaw*, February 10, 1969.

⁹⁶ James Phelan, “Rush to Judgment in New Orleans,” *Saturday Evening Post*, May 6, 1967.

jury on the issue of Bertrand actually being Shaw, the lawyer replied that “there is no way in the world I can connect the two...”⁹⁷

Media reports outside of Louisiana zeroed in on the New Orleans District Attorney’s assertion that the Kennedy assassination was a “homosexual thrill-killing” while simultaneously mocking Garrison’s investigation. A *San Francisco Chronicle* column charged that “A so-called ‘gay bath’ in S.F. will figure in Jim Garrison’s courtroom investigation of the JFK assassination if it ever gets off the ground.” Another article referred to the confused silliness of the District Attorney’s theory with the statement that “Garrison’s investigation has revolved around his theory that a shadowy group including homosexuals, anti-Castro Cubans, and CIA-oriented conspirators conspired in New Orleans in 1963 to kill Mr. Kennedy.”⁹⁸

Garrison’s investigation of Shaw made the New Orleans gay community a subject of international media attention. The German magazine *Quick Illustrated* published a twelve-page article, that when translated into English, is titled “Jim Garrison: Here is My Proof. The Kennedy Murder was a Conspiracy.” Although Garrison claimed he never meant for the homosexual context of his investigation to become public, the theme of the article echoed Garrison’s private view that homosexuality was the driving force motivating the assassination. Accompanying a photograph of Wanda’s Bar, a known New Orleans gay hangout, is a statement translated into German and attributed to Garrison, in which he is quoted as saying “...But I am sure that in about five months, ‘till the case against Clay Shaw begins, I will be able to come up with airtight evidence that President Kennedy was the victim of a homosexual conspiracy...and the head

⁹⁷ “Garrison Probe Centered Thursday around Shaw-Bertrand Mystery,” *Baton Rouge Morning Advocate*, April 14, 1967.

⁹⁸ Lambert, *False Witness*, 238; Jerry Cohen, “North Hollywood Man Accused by Garrison of ‘JFK Plot’,” December 20, 1967, JFK Assassination Investigation Records, Orleans Parish (La.) District Attorney’s Office Collection, CANOLA. Newspaper clipping missing name of newspaper.

of the conspiracy is Clay Shaw...”. The article includes allegations that Jack Ruby was a closeted homosexual so upset about being gay that “...he had a vagina tattooed in his left armpit” and that Oswald had “stolen Clay’s “girlfriend,” David Ferrie.”⁹⁹

Garrison ultimately denied making these statements to *Quick Illustrated* or ever being interviewed by the German magazine, but regardless of the veracity of his denial, the theory that the New Orleans gay underworld conspired to kill the president was spreading through the media during the late 1960s.

Publications continued to print stories attributing Garrison’s alleged “gay thrill-killing” theory continued to pop up in various media outlets. When *The National Observer* quoted Garrison as claiming Ruby and Oswald were “practicing homosexuals,” the District Attorney wrote a letter to the article’s author chastising him for printing off-the-record comments.¹⁰⁰

The specter of Shaw’s homosexuality hung over the trial proceedings, an open secret that was never directly addressed. *The Baton Rouge Morning Advocate* quoted a *States-Item* reporter’s assertion that the trial might illuminate “circumstances that may put Shaw in a bad light.” Considering Shaw was on trial for conspiring to assassinate a young and beloved president, the assertion that other personal secrets may harm his reputation is illustrative of the magnitude Shaw’s sexuality held over the investigation. In case anyone ascribed to Garrison’s

⁹⁹ Don F. Jordan to James Garrison, April 4, 1967, Folder “1967, April-June,” JFK Assassination Investigation Records, Orleans Parish (La.) District Attorney’s Office Collection, CANOLA; Jim Garrison to Don F. Jordan, April 4, 1967, Folder “1967, April-June,” JFK Assassination Investigation Records, Orleans Parish (La.) District Attorney’s Office Collection, CANOLA; Jim Garrison to F. Irvin Dymond, May 14, 1967, Folder “1967, April-June,” JFK Assassination Investigation Records, Orleans Parish (La.) District Attorney’s Office Collection, CANOLA.

¹⁰⁰ Jerrold K. Footlick, “Jim, Do You Really Believe All This Stuff,” *The National Observer*, January 22, 1968; Jim Garrison to Jerrold K. Footlick, January 22, 1968, Folder “1968, January-March,” JFK Assassination Investigation Records, Orleans Parish (La.) District Attorney’s Office Collection, CANOLA.

public dismissal of the gay question, the *States-Item* also reported that Perry Russo expected to be called a homosexual during his testimony.¹⁰¹

In Garrison's memoir chronicling his investigation into the Kennedy assassination, the District Attorney alludes to a vague homosexual conspiracy aiming to destroy his reputation by framing him as a sexually active gay man. In one chapter, Garrison recounts a bizarre incident which occurred during an investigatory trip to Los Angeles. According to Garrison, immediately upon arriving at the Las Angeles airport, he bought a magazine and entered the men's restroom while waiting for his baggage to arrive. Garrison writes that typically after a flight, he "always went to the men's room, sat down in a toilet booth, and read a magazine for about ten minutes until my luggage arrived." Garrison's account of the situation had him sitting in the men's room for a couple minutes before someone entered the stall next to him. Soon after, he heard from outside his stall "low whispering voices at the door." Without explaining to the reader why these particular voices worried him, Garrison quickly left the booth and exited the restroom, only to be rushed by airport police officers. Even more officers were outside the men's room door, and one demanded to know "in an accusatory tone" exactly how long the District Attorney had spent in the airport restroom. Yelling back to the officers that it was "none of your goddamn business," Garrison fled the airport to the safety of a waiting taxi cab.¹⁰²

Garrison goes on to argue that airport security must have targeted him "for violating some sort of obscenity misdemeanor" that "would have made headlines across the nation." Without unpacking his theory explicitly, Garrison's contention is clear that the police believed he was having illicit gay sex in the LAX men's room. He subsequently argues that he must have

¹⁰¹ "Orleans Reporter Says Clay Shaw is Innocent," *Baton Rouge Morning Advocate*, October 31, 1967.

¹⁰² Jim Garrison, *On the Trail of the Assassins: My Investigation and Prosecution of the Murder of President Kennedy* (New York: Sheridan Square Press, 1988).

been set up by a former client which he describes in his book as a “grimy, furtive, and disheveled homosexual who sold pornographic photographs for a living.” According to Garrison, while making his escape from public humiliation in the cab, he suddenly remembered that this former client had telephoned him in New Orleans three weeks prior, suggesting that they “could get together.” Of course, Garrison insists he in turn informed his former client, who was “hardly to my choosing,” that he had no desire to ever see him again. It must have been this unsavory homosexual who entered the stall next to him. Garrison concludes in his book that his former client must have been planning to exit the restroom with the innocent man, giving the appearance of impropriety. If this ruse had worked, Garrison was certain that he would have been charged with a “sex misdemeanor” that would have inevitably led to his removal from office. Garrison’s unusual men’s room escapade in Los Angeles underscores the consistent theme throughout his investigation that a homosexual conspiracy was responsible for the assassination of the president, and he had become their latest target.¹⁰³

In her book *False Witness: The Real Story of Jim Garrison’s Investigation and Oliver Stone’s Film JFK*, Patricia Lambert dissects Garrison’s motivation for pursuing the Clay Shaw investigation despite admonishment from the Warren Commission. In reference to the “odd incident which supposedly occurs in the men’s room at LAX,” Lambert argues that “Garrison’s underlying, perhaps unconscious, motivation-the possibility that he was driven to pursue Clay Shaw by his discomfort with his own homosexuality.” Lambert concludes that Garrison’s gay paranoia might have resulted from the District Attorney being a self-hating homosexual. She quotes several sources who claim Garrison was either a pedophile or a homosexual who targeted

¹⁰³ Garrison, *On the Trail of the Assassins*.

the gay community in order to provide cover for his own indiscretions. Either way, Garrison's investigation often focused on his suspects' alleged homosexual activity.¹⁰⁴

When Shaw's case finally went to trial, it took the jury an hour to find him not guilty on all counts. After Shaw's acquittal, he was interviewed by *Penthouse Magazine* about his experience as a suspect in a presidential assassination. The *Penthouse* article was written by former Garrison interviewer James Phelan, whose prose makes clear the journalist's certainty that Shaw was innocent. The article's summary of the closed investigation paints Shaw as an obsessive publicity hound who spent two years declaring he alone knew the truth about the Kennedy assassination, yet presented little evidence in court to support his conspiracy theory. Despite Shaw's acquittal in both court and the press, the ordeal had turned him into a shadow of his former vivacious self. Despite the acquittal, Garrison was busy mounting a perjury case contesting the businessman's testimony that he never met Ferrie or Oswald. According to Shaw, mounting a defense in the first trial ruined him financially and he appeared emotionally and physically drained from the experience.¹⁰⁵

In response to Phelan's question concerning "the apparent apathy of New Orleans toward what happened to you," Shaw gave an answer which not only interprets perfectly how New Orleans culture was responsible for facilitating the adventures of an obsessive District Attorney, but also encapsulates the worldview of the city's gay population during the 1960s:

Penthouse: Now that you have been cleared, there seems to be a tendency merely to revert to business as usual. Do you think New Orleans is unique in its response?
 Shaw: I wouldn't say that what happened to me couldn't happen elsewhere, because it could. But I think New Orleans is a unique city in some respects. For one thing, it is a sort of fantasy-land. This stems from its preoccupation with Mardi Gras. This not only pervades the weeks before carnival but occupies everyone's attention for many months of the year. People devote a tremendous amount of time and attention to working out the costumes they will wear as dukes and kings, and sometimes I think they forget that they

¹⁰⁴ Lambert, *False Witness*, 238.

¹⁰⁵ James Phelan, Clay Shaw Interview, *Penthouse*, November 1969, 34-35.

are not really dukes and kings. So there is an abiding air of fantasy here and I think it is easier for people here to accept the kind of fantastic plot that Jim Garrison spun. Any rational analysis of the various contradictory statements that he made and the wild variety of “solutions” he came up with before my trial would impel a person of common sense to the conclusion that he really had no case. I would say that New Orleans provides a good culture in which Garrison’s bacteria could grow.¹⁰⁶

Shaw’s response provides more depth into gay New Orleans than he was perhaps aware. Ha was a denizen of the French Quarter who masked every year for Mardi Gras and enjoyed his life as a single gay man of means who imbibed the city’s “abiding air of fantasy.” Shaw’s analysis of New Orleans culture during the 1960s is especially relevant due to his experience enjoying the best of what New Orleans had to offer its residents and subsequent experience as a victim of the city’s least desirable habits. Without realizing, he was also describing a gay community which failed to rally behind one of its most popular members. Shaw admits in the *Penthouse* interview that after his indictment good friends still supported him and he received more letters from strangers convinced of his innocence than those who believed he was guilty. In retrospect, however, the extent of gay-baiting and homophobia which dripped from Garrison’s investigation alienated Shaw both socially and emotionally.

The Shaw case underscores the city’s overwhelming resistance to gay liberation during the 1960s. After continued harassment within the French Quarter, the city’s gay population found alternative avenues for community. The Marigny provided the first residential neighborhood outside of the French Quarter for gay residents and the expanding number of gay Mardi Gras Krewes provided gay social spaces relatively safe from harassment. That said, the local gay community’s willingness to expose itself publicly and therefor make itself vulnerable as a means to liberation was still years away. The tragedy of the Shaw trial was that a decent man

¹⁰⁶ James Phelan, Clay Shaw Interview, *Penthouse*, November 1969, 34-35.

was destroyed for being gay, but compounding this injustice was the fact that his struggles did not galvanize and enrage a largely apolitical gay population.

The event which did ultimately successfully mobilize gay communities politically throughout the country occurred in New York City two years after Shaw's acquittal. The Stonewall Inn was located at 53 Christopher Street in Manhattan's Greenwich Village, a neighborhood with a reputation for attracting artists, dropouts, and homosexuals since its "Bohemian" years during the 1920s. During the evening of June 28, 1969, the New York City police raided The Stonewall Inn under the suspicion that it was serving liquor without a license. Prior to the raid, there had been a wave of gay bar raids in New York City, and the roughly two hundred patrons comprised of gay men, lesbians, transsexuals, and straight allies, viewed the raid as an attempted act of antigay oppression.

The Stonewall's clientele decided to resist the policemen who initiated the raid, instead choosing to fight back in a manner the *New York Times* described the following day as a "rampage." What began as skirmish between gay bar patrons and police turned into a three-day riot between pro-gay protesters and peace officers. News of the Stonewall standoff soon reached the gay and straight community through media coverage and word of mouth. By the third day, the two hundred resisters had turned into five hundred chanting demonstrators linking arms and throwing beer cans and bottles at the increasingly overwhelmed police presence. The Stonewall "riot" quickly became an outlet for those desiring to rage against generations of unfair treatment by the police toward the city's gay population. Graffiti on the bar's boarded windows implored viewers to "Support gay power" and "Legalize gay bars." When the melee eventually wound down, the police presence retreated in fear of further violence and bad press, and the Stonewall

Inn thereafter was hailed as the site “where pride began” as the success of the gay demonstrators set off a decade of pro-gay demonstrations and celebration.¹⁰⁷

The first organized gay liberation organization in New Orleans was the Gay Liberation Front (GLF). According to *The Times-Picayune*, the GLF “moved east from California and south from New York Saturday, into New Orleans, and called for “an end to police harassment” of the homosexual community. The “harassment” which galvanized the New Orleans gay community in early 1971 was the arrest of “at least 13” gay men who over a four day period two weeks prior. Protesters outside City Hall on January 23 called the arrests made in the French Quarter located Cabrini Park entrapment, despite the parks reputation for being a cruising ground for gay men. Around seventy-five members of the GLF marched outside City Hall, carrying picket signs with slogans stating pro-gay slogans like “We’re Not Freaks, We’re Human” and “Lesbians are Lovable.”¹⁰⁸

Lead by Rev. Philip Schmidt, the chairman of the GLF, the protesters made three demands aimed beyond the office of the Mayor:

1. An immediate end of all hostility, entrapment, and harassment by New Orleans police of gay men and women and of their places of gathering.
2. Formation of a Governor’s panel, empowered to conduct a complete and thorough investigation of the police methods and actions against gay people. On this panel shall sit one gay man and one gay woman.
3. The immediate suspension from duty of Police Supt. Clarence Giarusso and Vice Squad head Sgt. Robert Frey until the governor’s panel has completed its

¹⁰⁷ “4 Policemen Hurt in ‘Village’ Raid,” *New York Times*, June 29, 1969; “Police Again Rout ‘Village’ Youths,” *New York Times*, June 30, 1969; “Hostile Crowd Dispersed Near Sheridan Square,” *New York Times*, July 3, 1969; Recent scholarship has challenged the narrative that gay liberation as a social movement “began” due to the Stonewall riots. Although gay rights organizations and vibrant gay communities existed before 1969, the perceived success achieved by the gay community during Stonewall was instrumental in motivating the wave of gay rights demonstrations during the 1970s. See Martin Duberman, *Stonewall* (New York City: Dutton Books, 1993); John D’Emilio, *Sexual Politics, Sexual Communities: The Making of a Homosexual Minority in the United States, 1940-1970* (Chicago: The University of Chicago Press, 1983); Daniel Hurewitz, *Bohemian Los Angeles: and the Making of Modern Politics* (Berkely: University of California Press, 2007).

¹⁰⁸ “Gay Liberation Group Marches,” *The Times-Picayune*, January 24, 1971.

investigation. Should the panel find against these men, they shall be terminated immediately.¹⁰⁹

Unable to secure a meeting with the mayor, protesters returned to City Hall two days later to continue their march, albeit with fewer marchers present. *The Times-Picayune*'s coverage of the protest was condescending and dismissive, stating that Mayor Moon Landrieu could not meet with the GLF because he "had other things to do" and pointing out that among the protesters "some of the men wore flashy attire and drank carrot juice, while others wore more conventional clothing."

Despite failing to have any of their demands met, speak with the mayor, or garnering favorable press, the importance of the GLF protest should not be underestimated. By 1971, New Orleans had a significant gay population estimated by the GLF to near 75,000 and growing. The community survived decades of moral crusading and successfully carved out alternative social spaces with gay Mardi Gras Krewes and the first ostensibly gay neighborhood in the 1960s. Yet, despite not only surviving, but thriving since World War I, the New Orleans gay community had eschewed being overtly political. The Mattachine Society had existed on the west coast for decades and the culture of gay radicalization which was attributed to Stonewall had been in the rearview for two years when the GLF protest took place. "Gay-Ins" had been taking place and a small independent press pushing for gay rights may have been established by 1971, but the GLF march was a signal of a turning point in gay New Orleans culture. One in which the community may not have been merely radicalized, but proactively declaring themselves as not only part of the larger New Orleans community, but important for its existence in a way the insular nature of private Krewes and primarily gay neighborhoods did not allow.

¹⁰⁹ "Gay Liberation Group Marches," *The Times-Picayune*, January 24, 1971.

1971 was a year when the tide might have turned for New Orleans' gay population, as it did with many other gay communities in urban centers during the early 1970s. Unfortunately, a year after the march nearly three dozen gay men, women, and allies died in an arson attack of a French Quarter gay bar. For those who lived through the horror of this tragedy, this gay community did not just lose precious lives, but was traumatized to the point of retreating back into the closet they had only begun to step out from.

5 THE FIRE AND THE POP SINGER

The seeds for liberation were planted for the gay movement nationally during the late 1960s and early 1970s. The once popular theory that gay activism did not exist before the Stonewall riots has been summarily rejected by recent scholarship on the history of the gay rights movement, but Stonewall was undeniably a pivotal moment for gay Americans. The magnitude at which media coverage depicting gay Americans fighting back against their oppressors (and *winning*) affected the gay rights movement leading into the 1970s should not be underestimated. Although gay rights organizations and communities existed and even thrived before Stonewall, the riots injected into the national discourse the issue of gay rights at a level previously unseen, setting the tone for a more visible gay movement to exist during the 1970s, most notably during the annual gay rights marches held in New York to commemorate the anniversary of Stonewall.

The extent to which Stonewall changed the game for the gay community in New Orleans was evidently minimal, and largely due to the inroads already made which were unique to the city. There was a level of comfort, or at least an absence of urgency which could have necessitated gay activism during the early 1970s. The gay Mardi Krewes were growing in popularity and number, the Marigny neighborhood thrived as a haven for gay residents, and despite decades of attempts by city leaders, gay-friendly bars in the French Quarter and surrounding neighborhoods were still hot spots for gay socializing. Gay artists like George Dureau had been mainstays in the French Quarter since the 1920s and still worked and cavorted among tourists and denizens of the historic neighborhood.¹¹⁰

That said, there were brave and full-throated attempts to jump-start gay activism in New Orleans during this period. The Gay Liberation Front most notably led a march on City Hall and

¹¹⁰ Doug MacCash, "Renowned Artist Always Captured the Spirit of his Native New Orleans-Painter, Photographer George Dureau Dies at the Age of 83," *The Times-Picayune* April 9, 2014.

a local chapter of the gay-led Metropolitan Community Church (MCC) was established. Gay activist and Alexandria resident Skip Ward attempted to bridge the relationship between the MCC and the Unitarian Universalist Church, was a champion of the Unitarian Universalist Gay Caucus, founded an early Louisiana gay publication, and worked tirelessly for the advancement of gay rights and gay Christians throughout the state. Ward was also the first to admit how difficult it was to mobilize and build connections among the nascent and inchoate gay groups in Louisiana.¹¹¹

The modern gay community in New Orleans had thrived in the city despite decades of harassment and marginalization, and perhaps the apolitical methods of survival and existence which defined the city's gay population by the 1970s speaks to the difficulty radicalization had taking hold of the community during this period. The community's lack of desire to be radicalized is illustrated crudely in the Pulitzer Prize-winning *A Confederacy of Dunces*, John Kennedy Toole's posthumously published novel about a portly anti-social hot dog vendor in the French Quarter during the 1960s. The novel repeatedly depicts gay men in New Orleans during the 1960s as little more than effeminate drunkards for whom political mobilization was anathema. Reductive and offensive in its reliance on the worst gay stereotypes, the novel's illustration of an apolitical gay community at least provides evidence that shirking radicalization was viewed as a theme of gay life in New Orleans during the era in which the novel was written.¹¹²

¹¹¹Skip Ward to "Henry and Sandy," letter, February 19, 1974, Skip Ward Papers, 1971-2006, MS 1074, file 1074-1-1-7, LaRCTU; "Peregrinations," by Skip Ward, 1974, Skip Ward Papers, 1971-2006, MS 1074, file 1074-1-2-2, LaRCTU, Barbara Gittings to Skip Ward, letter, October 6, 1976, Skip Ward Papers, 1971-2006, MS 1074, file 1074-1-1-7, LaRCTU; Timeline of Skip Ward's Gay Activism, Skip Ward Papers, 1971-2006, MS 1074, file 1074-1-2-13, LaRCTU.

¹¹² John Kennedy Toole, *A Confederacy of Dunces* (New York: Grove Weidenfeld, 1980). There is considerable scholarship debating the homosexual themes in *A Confederacy of Dunces*, including interpretations which contextualize the offensive depiction of New Orleans gay men as a reflection of the protagonist's self-resentment due to his latent homosexuality, as well as continued speculation that Ignatius O'Reilly's hostility toward

The process by which the New Orleans gay community became radicalized during the 1970s is bookended by two seminal events marking the community's greatest moments of tragedy and triumph. That is not to say that progress had not been made, and the survival strategies adopted to defend gays and lesbians against recurring moral crusades was itself a political act. However, what transpires during the 1970s was a conscious decision by the gay community, spearheaded by local gay activists, to evolve from a covert apolitical presence in New Orleans to a radically overt and visible one from which they will never return.

Sunday, June 24, 1973, marked the last day of Gay Pride Week in New York City. Scheduled to coincide with the June 4th anniversary of the Stonewall riots, the fourth annual Christopher Street Liberation Day parade began in Central Park West and concluded in Washington Square Park. The oft-repeated chant of "Out of the closets and into the streets" was echoed along the fifteen blocks comprising the length of the marchers. *The New York Times* estimated between six hundred and nine hundred marchers filled each block of the parade route, holding banners carrying such slogans as "Gay is Proud" and "Love has no Sex." Illustrative of how far the gay rights movement had progressed in New York City in four short years, taxi cab drivers honked in support of the marchers and construction workers waved as they joyfully walked past. As the marchers filed into Washington Square Park, musicians sang and played instruments as a general feeling of hope and celebration carried the mood of the revelers into the evening.¹¹³

homosexuals was a reflection of Toole's own personal struggle with his sexuality. Regardless, *Dunces* is the most celebrated, cherished novel ever written about New Orleans, and no gay history of the city is complete without its inclusion. See also Cory MacLuachlin, *Butterfly in the Typewriter: The Tragic Life of John Kennedy Toole and the Remarkable Story of A Confederacy of Dunces* (Cambridge, MA: Da Capo Press, 2012) and Michael Hardin, "Between Queer Performances: John Kennedy Toole's 'The Neon Bible' and 'A Confederacy of Dunces'," *Southern Literary Journal* 39, no. 2 (Spring 2007): 58-77.

¹¹³ John Darnton, "Homosexuals March Down 7th Avenue," *New York Times*, June 25, 1973.

As a jubilant gay community celebrated their achievements in New York City, the afternoon of June 24, 1973 began like any other Sunday for Douglas “Buddy” Rasmussen in New Orleans. He was the manager of the Upstairs Lounge, a small bar nestled above a separate bar called The Jimani located on the corner of Chartres St. and Iberville St. in the French Quarter. To enter The Upstairs Lounge, patrons had to climb a flight of stairs located on the Iberville side of the building. The bar was easy to miss for anyone who did not already know it was there, which made it an ideal location for a gay bar to operate in New Orleans during the early 1970s.¹¹⁴

Around noon that day, Buddy climbed the eponymous stairs and went through the day’s receipts. After a trip to the bank, Buddy returned to the bar and cleaned until the doors opened at 2 p.m.. Sundays were always busy for the cramped Upstairs Lounge, as its’ weekly “Beer Bust” brought in decent business and a regular weekly clientele. For one dollar, a patron could drink all the beer they wanted between 5:00 and 7:00 p.m., and by 4:30 the bar was already beginning to become crowded.¹¹⁵

This particular Beer Bust was a success. By early evening, there were at least sixty patrons drinking beer and an equal number partaking cocktails. Aside from the drinking and general socializing, the New Orleans chapter of the Metropolitan Community Church (MCC) was having a meeting in the bar and was attended by at least a dozen members. The evening

¹¹⁴ Initial Investigation Report of fire at 604 Iberville (The Upstairs Lounge) issued by the Fire Prevention Division of the New Orleans Fire Department, June 24, 1973, Folder 12, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC; New Orleans Department of Police General Case Report, August 30, 1973, Folder 17, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC; see also Johnny Townsend, *Let the Faggots Burn: The Upstairs Lounge Fire* (BookLocker.com, 2011).

¹¹⁵ New Orleans Department of Police General Case Report, August 30, 1973, Folder 17, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC.

progressed as smoothly as a bartender could hope for in a French Quarter bar, but there were still a couple of disruptive patrons who had to be dealt with.¹¹⁶

Disrupting an otherwise pleasant Beer Bust, Michael Wayne Scarborough was becoming extremely annoyed with the man who had been staring at the Lounge's customers through holes in the restroom stalls. The man had been in the restroom for almost two hours and was making anyone who entered feel uncomfortable. Fed up with the stranger in the restroom, Scarborough went to report the peeping tom to the bartender. As he did so, the very man he was attempting to complain about approached him. According to a statement Scarborough later gave to investigators, the man "started kinda agitating me and kinda smart talking me so I just jumped up and just knocked him down." Scarborough would later insist that while lying on the floor, the man just looked up at him and said "I'm gonna burn you all out" before the bartender, known as "Hugh Coolie," personally "dragged" him down the stairs and expelled him from the bar.¹¹⁷

This was not the only incident at the Upstairs Lounge that evening culminating in the ouster of a disruptive customer. Lindy Quinton, also known as Rusty, was helping serve beer at the Beer Bust that evening. As the event was winding down, he noticed a young man named David Dubose pouring beer on the floor and loudly harassing other customers. Rusty informed Buddy about the drunken and disruptive man, forcing Buddy to approach David on the dance floor. Explaining to him that he was forever banned from the Upstairs Lounge, David left, but along the way took two beer mugs and subsequently smashed them on the ground of the bar's entrance as he exited.¹¹⁸

¹¹⁶ New Orleans Department of Police General Case Report, August 30, 1973, Folder 17, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC.

¹¹⁷ Statement of Michael Wayne Scarborough, patron of The Upstairs Lounge, administered by Arson Investigator Edward S. Hyde of the State Fire Marshall's Office regarding the June 24 fire, July 16, 1973, Folder 15, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC.

¹¹⁸ New Orleans Department of Police General Case Report, August 30, 1973, Folder 17, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC.

After this brief disruption, the bar's evening proceeded without incident, as holdovers from the Beer Bust laughed and sang with friends and the MCC members congregated. As 8:00 p.m. approached, nearly an hour after the Beer Bust ended, Buddy prepared to hand bartending duties over to a fellow Lounge employee known as "Hugh Cooley." With only eight minutes left in his shift, Buddy began to head to the storeroom to retrieve the evening's cash register bank from the bar's safe as the bar's doorbell chimed. The bell was located outside the ground level entrance and was primarily used by taxi drivers picking up expecting bar patrons. As Buddy asked the remaining customers if anyone had called for a cab, the bell kept ringing relentlessly. As each patron denied having called for a taxi, it became clear that no one was waiting for a cab, yet the ringing did not cease. Eventually, an annoyed customer approached the door to yell at whoever was pulling what they assumed was a prank to knock it off. As he opened the door to the stairwell, flames started rolling into the bar.¹¹⁹

Taking responsibility for the safety of his customers, Buddy forcefully called out loud for them to remain calm as he rushed to the end of the bar, grabbing people and insisting they follow. He led those who did follow him through a small fire door into the Upstairs Lounge theater area adjacent to the main bar. The theater area was crowded with costumes and decorations used for stage performances. Buddy pushed the theatrical debris from his path as he ran across the stage and unlocked the lounge's back door. He then proceeded to guide his increasingly frightened customers and friends out onto the building's roof. After everyone who followed Buddy was safely outside, a customer named Dean asked him about a friend who remained inside the building. The bartender returned into the theater and found the man, who was apparently lost and trying to reenter the bar. Grabbing the confused patron, Buddy pushed

¹¹⁹ New Orleans Department of Police General Case Report, August 30, 1973, Folder 17, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC.

him through the exit, yelling into the bar area for remaining stragglers. He heard nothing but silence through the smoke which ensconced the bar. Unable to reenter the bar to investigate further, Buddy made the difficult decision to lock the rear exit behind him to prevent the fire from spreading. He then moved quickly through an adjoining apartment complex down to street level.¹²⁰

As Buddy exited, no fire trucks had yet arrived at the blaze, yet several burned customers lay in pain on the French Quarter streets. Incapable of further alleviating the crisis, he walked around to his hurt friends and attempted to comfort them. Soon thereafter, with the shock of the tragedy still present, Buddy ran into the first person thrown out of the bar that evening one block away on the corner of Iberville and Royal Streets. Buddy was certain he was a potential suspect for the possible arson attack and grabbed the intoxicated man, pulling him toward a police officer standing nearby. The frustrated bartender attempted to explain to the officer that the man in his custody was a suspect in the fire, but the police officer told him to move along. Buddy had no choice but to release the man he worried could have been responsible for destroying his bar and possibly killing his friends.¹²¹

When firefighters finally arrived, it took them only fourteen minutes to extinguish the blaze. The quickness with which the fire was subdued offered little parallel to the horror which investigators discovered inside. Detectives Charles Schlosser and Sam Gebbia conducted the investigation for the New Orleans Department of Police. Upon entering the bar after the blaze was extinguished they found the Upstairs Lounge completely devastated. Where, only a few

¹²⁰ Statement of Douglas M. Rasmussen, bartender at The Upstairs Lounge, administered by Arson Investigator Edward S. Hyde of the State Fire Marshal's Office regarding the June 24 fire, July 18, 1973, Folder 16, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC.

¹²¹ Skylar Fein Upstairs Lounge Collection, Historic New Orleans Collection, New Orleans, LA; New Orleans Department of Police General Case Report, August 30, 1973, Folder 17, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC.

hours prior, customers were drinking and singing, was now a burnt shell of a space littered with charred bodies. They found two bodies around the restroom, victims of smoke inhalation and suffocation. In one corner of the bar, charred bodies were piled on top of each other, one wedged against the window in a manner implying he tried to escape the blaze until the end. Around the piano which customers often sang were “three charred bodies lying on top of each other” and two more, a male and female, behind the piano. Aside from the loss of life, the detectives also found numerous boxes of papers and other flammable debris which likely escalated the speed at which the blaze intensified. Twenty-nine people, mostly homosexual, died that night due to the fire.¹²²

The following morning, *The Times-Picayune* devoted the entire front page to the Upstairs Lounge fire. Comparing the site of the tragedy to “Dante’s ‘Inferno’” and “Hitler’s incinerators,” most of the three articles devoted to the blaze consisted almost entirely of proving how monumental the tragedy was within New Orleans history. When Louis J. San Salvador, the recently retired fire department superintendent, was asked whether he had ever witnessed a fire-related tragedy of this magnitude, he replied “Nothing close to it. And I’m going back 35 or 40 years.” Harnett Kane, a historian whose scholarship focused on New Orleans, told *The Times-Picayune* that “as far as loss of life goes, this was certainly one of the most disastrous fires in modern New Orleans history,” further adding that one would have to look back to 1794 to find a comparable fire in the French Quarter. The current fire superintendent, William McCrossen, stated that “It could be one of the worst fires in the city’s history in terms of people killed.” McCrossen’s assertion was compounded by the Orleans Parish Coroner’s categorizing the

¹²² Skylar Fein Upstairs Lounge Collection, Historic New Orleans Collection, New Orleans, LA; New Orleans Department of Police General Case Report, August 30, 1973, Folder 17, MSS 592 Skylar Fein Upstairs Lounge Collection, THNOC.

Upstairs Lounge fire as “a mass of death.” After the last victim succumbed to their wounds, the final death toll was thirty-two, thirty men and two women. Roger Nunez committed suicide the following year. No one was ever charged for setting the fire and subsequent lawsuits filed by family members of victims against the city were dismissed.

Despite the histrionics employed by the newspaper’s journalists or the officials they quoted concerning the magnitude of life loss, the *Time-Picayune* never mentioned that the Upstairs Lounge was a gay bar or that the “mass of death” housed within was the worst massacre of homosexual men and women the United States had ever experienced.¹²³

The tragedy of the Upstairs Lounge fire did not mobilize the New Orleans gay community in the manner the Stonewall riots did in New York. In fact, the massacre had the opposite effect, pushing the community deeper into a self-imposed closet, comforted by the safety of gay neighborhoods, Mardi Gras Krewes, and gay-friendly bars. The fact that the arsonist was probably homosexual dispelled possible arguments that the blaze was a hate crime, and attempts by the family members of victims to sue the city for lax regulation of the bar’s fire codes were ultimately dismissed. The straight and gay community, including survivors of the fire, had no desire to memorialize the largest loss of life due to fire in the city’s history and Catholic religious leaders refused to release any statement of condolence or allow the funerals of victims to take place in Catholic churches. This sentiment was echoed by other denominations in the community as well, but the ubiquitous presence of Catholicism in New Orleans made this slight even more painful. After the fire, a silently complicity between the gay and straight

¹²³ John Laplace, “29 Killed in Quarter Blaze,” June 25, 1973, *The Times-Picayune*; Clancy DuBos, “Blood, Moans: Charity Scene,” June 25, 1973, *The Times-Picayune*; Bruce Nolan, “Past Underlines Tragedy of French Quarter Fire,” *The Times-Picayune*, June 25, 1973; “Suit is Brought in Lounge Fire,” *The Times-Picayune*, June 18, 1973; “Upstairs Blaze Suits Increase,” *The Times-Picayune*, June 25, 1974, “Judge: City Not Liable in Upstairs Bar Blaze,” *The Times-Picayune*, January 3, 1976.

communities to simply “move on” appears to have developed. Yet, despite the magnitude of tragedy wrought by the fire, and the unspoken desire to not draw attention to the tragedy, things would get worse for the local gay community before they got better.

By the mid-1970s, the anti-gay narrative had evolved from stereotyping homosexuals as sexual deviates to sexual predators. This was perhaps in response to the increased visibility of the gay community nationally resulting from close to a decade of gay pride marches and demonstrations. As homosexuality started to emerge from the shadows, the antigay rhetoric had to be increased to challenge increased acceptance nationwide. The specter of homosexuals as child predators was not a new argument constructed to marginalize them within heteronormative society, but the extent to which it was echoed within antigay discourse during the 1970s was on a much grander scale. This was especially true in New Orleans, a city whose gay community was still recovering from the Upstairs Lounge attack and the complicity of silence between the gay and straight community which followed.

During the summer of 1976, the New Orleans Police Department began an extensive sting operation to curb homosexual activity in the city’s two largest parks. The campaign began on July 30, and within less than a month officers had arrested over seventy men for crime against nature or obscenity in the uptown Audubon Park and the mid-city located City Park. James Castle, spokesman for The Gay Service Center, called the arrests, most of which were made by plainclothes officers who investigated cruising sites within the parks, entrapment. Furthering his argument, Castle insisted that “It’s inappropriate that police are now doing what the complaints were about—soliciting sex acts.”¹²⁴

¹²⁴ Frank S. Washington, “Gays Say Policemen Soliciting,” *The Times-Picayune*, August 14, 1976; Bob Ussery, “Police Crackdown on Gays in Park is ‘Due to Calls,’” *The Times-Picayune*, August 17, 1976.

In response to criticism from gay activists like Castle, the police department stated that the crackdown was in response to complaints by concerned parents that their children were being “sexually approached in the park area.” NOPD Patrol Bureau Asst. Commander Captain Assistant Commander Captain Richard Martin explained that the sting was in response to “complaints from citizens about children not being able to use the restrooms without being solicited or seeing obscene acts.” In response to accusations of entrapment, Martin insisted that “Their attitude is that we’re harassing them. But they’re harassing the public.” Lieutenant Dave Kent, commander of the vice squad, was decidedly blunter in his response when he dramatically argued that “When parents tell you, ‘My kids can’t go fishing in the lagoon without being accosted by some guy masturbating behind an oak tree,’ how do you tell them it’s more important to chase purse snatchers and robbers?”¹²⁵

Members of the city council applauded the crackdown. Councilman James A. Moreau requested that the Audubon Park Commission close the restrooms at night due to “numerous complaints about homosexual activity after dark.” By the following spring, the fear of gays using the neighborhood parks for deviant purposes spread. Residents around Cabrini Park in the French Quarter complained that the park was, as *The Times-Picayune* surmised, “a breeding ground for homosexuals.” The specter of the “pervert in the park” was not a new tenet of gay paranoia, but buttressed new calls for antigay legislation being passed under the pretense of protecting vulnerable children from predatory gay men.¹²⁶

The fear of the gay predator ballooned during a very short period in 1976 and 1977, when readers of local newspapers were repeatedly confronted with stories validating their worst fears

¹²⁵ Bob Ussery, “Police Crackdown on Gays in Park is ‘Due to Calls’,” *The Times-Picayune*, August 17, 1976.

¹²⁶ “Cabrini Park Capers,” *The Times-Picayune*, April 18, 1977; see also John Howard, “The library, the park, and the pervert: Public space and homosexual encounter in post-World War II Atlanta,” *Radical History Review* 1995, no. 62 (1995): 166-187.

concerning homosexuals. Weeks after the antigay crackdown in New Orleans parks began, a so-called “homosexual ring” involving the Boy Scouts confirmed the worst fears for some that gay men were coming after their children. On September 11, 1976, *The Times-Picayune* reported that Richard Stanley Halverson, Ray T. Woodall, and Lloyd R. Schwegmann were “all booked on a number of morals charges and other violations.” Woodall and Halverson were both associated in a leadership capacity with Boy Scout Troop 137 in New Orleans East, where they groomed victims between the ages of eight and twelve years old. The men were eventually charged with being part of a child prostitution and pornography ring which ended with the arrest of thirteen men and involved as many as thirty known victims.¹²⁷

The disgusting nature of the crimes which the three men were eventually found guilty of shocked the New Orleans community, many of whom had sons in Boy Scout troops or had been Boy Scouts themselves. The narrative being presented in the media, however, was not that these crimes were committed by pedophiles, but were perpetrated by a “sophisticated” “homosexual ring.” *The Times-Picayune* repeatedly used the word homosexual to describe the predators, printing stories with headlines like “Boy Scout Gay Ring Alleged.” Further compounding homosexuality with criminality was the fact that Raymond Woodall, along with others, was found guilty of eleven counts of aggravated crime against nature. The fact that crime against nature was the same charge levied against both the perpetrators of a child prostitution ring as well as the gay men who were arrested in City Park and Audubon Park a month prior further conflated homosexuality with predation of children in the minds of many in New Orleans.¹²⁸

¹²⁷ “Boy Scout Gay Ring Alleged,” *The Times-Picayune*, September 11, 1976; “Funding Forms for Boys Home Seized in Papers,” *The Times-Picayune*, September 12, 1976; “New Sex Abuse Charges Possible in Scouts Case,” *The Times-Picayune*, October 6, 1976; Vincent Lee, “Scout Chief Convicted in Sex Crimes,” *The Times-Picayune*, April 15, 1977.

¹²⁸ “Boy Scout Gay Ring Alleged,” *The Times-Picayune*, September 11, 1976; “Funding Forms for Boys Home Seized in Papers,” *The Times-Picayune*, September 12, 1976; “New Sex Abuse Charges Possible in Scouts Case,”

By the spring of 1977, the segment of New Orleans society concerned about gay predators expanded from just heterosexual parents to include homosexuals themselves. On February 14, 1977, forty-six-year old Robert Gary was murdered in his home on Dumaine Street. Five weeks later, on March 21, thirty-seven-year old Jack Savell was also murdered in his home on Esplanade Avenue. A week and a half later, fifty-eight-year old Alden Delano was murdered in his New Orleans homes on April 1. All three victims were gay men who lived in the vicinity of the French Quarter. All three were stabbed to death without showing any sign of struggle and semen was discovered present in each case. The specter of sex which hung over the first three murder scenes led New Orleans Police Superintendent Clarence B. Giarusso to declare the week after Delano's death that "there was a threat to the gay community."¹²⁹

Although only three murders had obvious homosexual overtones, there were actually five men stabbed to death in the French Quarter in less than two months during the spring of 1977. Thirty-two-year old James McClure had been murdered on March 2 and seventy-seven-year old Ernest Pommier was stabbed fifty times in his home on April 7. It was assumed by the police as well as the general public that all five stabbings were linked, terrifying French Quarter residents, especially gay men for several weeks. Many assumed the murderer must have been a gay male prostitute, and French Quarter civic groups demanded increased police protection as well as a crackdown on gay prostitutes in the French Quarter.¹³⁰

On April 13, 1977, guided by tips from two police informants, sixteen-year old Wayne Harris was arrested at the Top of the Duke Hotel on N. Claiborne Avenue. According to police, Harris resided in the hotel, "where he had been living with a transsexual." Leading up to the

The Times-Picayune, October 6, 1976; Vincent Lee, "Scout Chief Convicted in Sex Crimes," *The Times-Picayune*, April 15, 1977.

¹²⁹ "Police Confident in Stab Arrest," *The Times-Picayune*, April 15, 1977.

¹³⁰ Ibid.

arrest, police were certain that homosexuality was key to the killer's motive. In an interview with *The Times-Picayune*, Dr. Scrigner stated that in compiling his profile of the murderer for investigators, he knew that the "French Quarter Stabber" was either a homosexual or someone whose struggle against his own homosexual tendencies led him to target gay men with violence.¹³¹

Harris, who was ultimately linked to a sixth killing, tragically fit investigators' psychological profile. Raised without a father in a religiously devout household by his mother and Baptist minister grandfather, Harris was one of six children and clearly struggling with homosexual tendencies he had been taught were sinful. Despite murdering several men, Harris was still a minor at the time of his arrest, and thusly his mother and grandfather were required to be present while he was being interviewed by police. Absolutely shocked at the nature of the crimes her son was accused of committing, Harris' mother expounded that "Unless he has a split personality, I can't see him doing that." Two days after Harris' arrest, a photograph of him being led by police in handcuffs shared the front page of *The Times-Picayune* along with a separate story bearing the headline "Scout Chief Convicted in Sex Crimes." After Harris was found guilty of being the "French Quarter Stabber," he received three life sentences for his crimes.¹³²

The speed at which paranoia about gay predators spread in New Orleans over the course of a year was a microcosm for the concurrent national struggle over gay rights. The face of the national anti-gay movement during this period was pop singer Anita Bryant, and the fear of homosexuals preying on America's youth provided the context for her crusade to repeal the gay rights laws which been passed nationally during the eight years since the Stonewall riots.

¹³¹ "Police Confident in Stab Arrest," *The Times-Picayune*, April 15, 1977.

¹³² Ibid.

By 1977, Bryant had been a presence for years in the world of entertainment, and her attractiveness and the spirit of patriotism and family values which informed the country, pop, and gospel songs she performed on numerous variety shows and on records made her a poster child for wholesome Americana. She was a former Miss Oklahoma and second runner-up in the Miss America Pageant who also served as the spokesperson for the Florida Citrus Growers Association, and her presence in orange juice commercials made her a household name. During the summer of 1976, she performed in the New Orleans Summer Pops concert held at the Municipal Auditorium. In a review of her standing ovation-receiving performance, *The Times-Picayune* noted that “‘Miss Sunshine’ bubbled and bounced through a mixture of pop, rock, gospel, country and patriotic selections to the delight of the...audience.” Six months later she was declaring to the press that she would fight gay rights even “if my livelihood is stripped away from me.”¹³³

Anita Bryant, or “Miss Bryant,” as admirers referred to her, spearheaded a campaign to repeal an ordinance banning discrimination in Miami based on sexual orientation. In early 1977, Bryant organized a group named “Save Our Children, Inc.,” whose sole purpose was to prevent the gay community from “trying to recruit our children to homosexuality.” During that spring, Bryant led an effort to bring the city council ordinance up for a referendum so the voters of Miami could decide whether or not to repeal the gay rights legislation.

The backlash against Bryant’s antigay crusade in Miami was strong and took on national dimensions. She was personally called “bigoted” and “fanatical” by gay rights leaders and a push for the Florida Citrus Commission to end their connection with the entertainer led to many gay bars refusing to carry orange juice or serve “screwdrivers.” Within weeks of the Save Our

¹³³ Therese C. Mitchell, “Bubbly Anita Bryant Gets Standing Ovation,” *The Times-Picayune*, July 31, 1976; “Names-Make News,” *The Times-Picayune*, February 16, 1977.

Children crusade coming to Miami, a special election was forced making voters the ultimate deciders of the ordinance's fate. By March, the antigay crusaders were successfully in moving the same Dade County Commission which passed the ordinance in January to call for a referendum in which voters could decide the ultimate fate of the law. After Bryant successfully solicited 64,000 signatures calling for a referendum, a new public vote was set for June 7.¹³⁴

Byrant was aware of her position in this debate, and wore the mantle of moral crusader with a flourish. After the city council called for a referendum, Bryant's presence brought the debate national. Bryant was personally not having it any other way. In the wake of the Dade County commission opening up the antidiscrimination law to a referendum, Bryant declared "By its action today, the commission for better or worse has made Dade County a national battleground in the fight for civil right of parents...Homosexual acts are not only illegal, they are immoral."¹³⁵

A major theme defining Bryant's antigay agenda was the threat of gay "recruitment" of children. The fear of gay predators was a common argument against gay rights ordinances post-Stonewall, and shadows of this strengthening paranoia was being played out in New Orleans park crackdowns long before the Bryant crusade. As municipal ordinances across the country began to pass antidiscrimination ordinances in housing and public schools, essentially breaking down the spatial barriers between gay and straight (i.e. "normal") spaces whipped up a frenzy among those who saw the breakdown of these barriers as literally dangerous for children. Bryant went on record about fears that men in dresses would be teaching young children in public schools, and may provide unhealthy "role models" for such impressionable young people.¹³⁶

¹³⁴ Martin Merzer, "Vote Ordered on Homosexual Rights Law," *The Times-Picayune*, March 16, 1977.

¹³⁵ Ibid.

¹³⁶ Ibid.

In early April, as Bryant's campaign was reaching a fever pitch, it was announced that the singer would once again headline the New Orleans Summer Pops Festival in June. Both the referendum in Miami and the Bryant concert in New Orleans were scheduled for June, and as the weeks crept closer to both dates signs of backlash were appearing in the typically apolitical New Orleans gay community. In May, representatives from the local gay rights group Human Equal Rights for Everyone (H.E.R.E.) scheduled a meeting with concert organizers to encourage them to "dis-invite" the singer whom the press described as "both denounced and deified." Although the meeting was canceled by Pops organizers without offering a reason, festival manager Patrick Twohey did make it clear to the media that his organization write Bryant a letter "requesting that she not make any political statements from the stage while performing here," but had no plans to cancel her appearance.¹³⁷

The existence of a letter requesting Bryant temper her antigay rhetoric was little consolation for H.E.R.E. members, whose spokesman Bob Rushton declared that "She [Bryant] is in the business of generating hate and calling it Christianity." Addressing the possible impact Bryant's agenda may have on New Orleans, Rushton promised that "While she's in town, she's not going to remain silent. She's going to stir all that mess up...[She is a] very real threat to...the life and livelihood of gays in this community." According to HERE's estimate, in May of 1977, there were fifty thousand gay men and women living in New Orleans. By June, the threat of Anita Bryant bringing her antigay crusade from Miami to New Orleans became the turning point after which the gay community became radicalized.¹³⁸

Bryant denied any desire to lead a nationwide campaign to repeal similar discrimination ordinances after her success in Miami while simultaneously trumpeting her position as a martyr

¹³⁷ Frank Gagnard, "Headline Stars at the Pops," *The Times-Picayune*, April 3, 1977.

¹³⁸ George Hager, "Anita Bryant Pops Booking Stirs Protest," *The Times-Picayune*, May 14, 1977.

for the cause. The same year she became the national face of antigay activism, Bryant published *The Anita Bryant Story: The Survival of our Nation's Families and the Threat of Homosexuality*, in which she details the crusade she led in Miami and the subsequent fallout. Throughout the book, Bryant repeatedly describes herself as a reluctant crusader who did not want to get involved in controversial social affairs but “Because of my love for Almighty God, because of my love for His Word, because of my love for my country, because of my love for my children, I took a stand-one that was not popular.”¹³⁹

Despite later claiming she had no desire to spearhead a campaign beyond Miami, New Orleans became a focal point in the national conversation concerning Bryant's antigay crusade. This was due to the fact that her June 17 festival appearance would be her first scheduled performance following the upcoming referendum in Miami. This also garnered H.E.R.E., the most vocal of the New Orleans based gay liberation groups at this point, support from outside the city borders. Along with the national attention came the necessity to define the struggle against Bryant's cause as one which not only effected gay rights, but civil rights in general. As one spokesperson for H.E.R.E. pointed out, “Anita Bryant's opposition to busing, the Equal Rights Amendment and other minority group issues is a matter of concern to all those who believe in equal rights.” In other words, H.E.R.E. protest organizers positioned Bryant's stance on the gay nondiscrimination ordinance as one more chapter in the history of the singer coming out against civil rights. Outside of gay rights circles, this conceptualization of the Bryant debate found footing with feminist, labor, and community groups, whom H.E.R.E. claimed were providing “widespread support” to their cause. Bryant acknowledges in her memoir that she had become “a

¹³⁹ Anita Bryant, *The Anita Bryant Story: The Survival of our Nation's Families and the Threat of Homosexuality* (Old Tappan, NJ: Fleming H. Revell Company, 1977), 13.

lightning rod” for the gay liberation movement, admitting that she was aware that protests were scheduled for her New Orleans performance.¹⁴⁰

The lead-up to both the Miami referendum and the Bryant’s June Summer Pops performance galvanized gay activists in New Orleans. In late May H.E.R.E. established and “Anti-Anita Fund” to help fund their campaign to protests the Bryant concert. H.E.R.E.’s support soon spanned beyond New Orleans’ borders, as a spokesman for the organization claimed the group was “receiving widespread support from gay, feminist, labor, and other community groups.” Meanwhile, the popular singer’s public appearances were quickly becoming focal points for gay activists. While Bryant sang standards in a produce warehouse in Minneapolis on May 21 to commemorate the opening of the city’s Fruit and Produce Center, four hundred and fifty protesters demonstrated in the pouring rain outside. Subsequently, Academy Award winning actress Jane Fonda publicly accused Bryant of “fanning the flames of fear” and two Massachusetts legislators publicly denounced the singer in a press conference. As two gay rights groups in Miami accepted \$115,000 dollars in contributions to run anti-repeal ads, Bryant’s groups Save Our Children lost a lawsuit to force reluctant television and radio stations to broadcast pro-repeal advertisements.¹⁴¹

Public sentiments within New Orleans, however, were not wholly opposed to Bryant’s message. During the contentious weeks leading up to the June 7 Miami referendum, letters to the editor of *The Times-Picayune* illustrated how polarized people felt toward Bryant’s crusade, and by extension, the singer herself. Opinions were rarely nuanced, and depicted Bryant as either the

¹⁴⁰ George Hager, “Anita Bryant Pops Booking Stirs Protest,” *The Times-Picayune*, May 14, 1977; “HERE Sets Up Anti-Anita Fund,” *The Times-Picayune*, May 20, 1977; Anita Bryant, *The Anita Bryant Story: The Survival of our Nation’s Families and the Threat of Homosexuality* (Old Tappan, NJ: Fleming H. Revell Company, 1977), 132.

¹⁴¹ “HERE Sets Up Anti-Anita Fund,” *The Times-Picayune*, May 20, 1977; “Anita Sings While Protesters Get Wet,” *The Times-Picayune*, May 22, 1977; “Homosexual Furor Rises,” *The Times-Picayune*, May 29, 1977

embodiment of bigotry or righteousness, with little room in between. A reader's letter one day insisted "Bryant's campaign reeks with shallowness of the spirit" while the following day another published letter declared "This nation is really going down the drain morally and spiritually when Christians like Anita Bryant are criticized...". Bryant, who claimed "Never before have I taken a public stand on any political or controversial issue," had in the span of a few months become the personification of the gay liberation debate, and it was increasingly beginning to appear as though New Orleans would be the devout Baptist's own personal Calvary.¹⁴²

Despite a growing resistance to Bryant's message, the depiction the singer presented of herself to the media as a victim of McCarthy-like tactics impugning her for her religious beliefs began to gain traction. In late May, The American Federation of Television and Radio Artists (AFTRA) withdrew a resolution it had passed three weeks earlier "urging" for a boycott of Anita Bryant based on her antigay beliefs. The Louisiana Senate even "gave final legislative approval to a resolution welcoming Miss Bryant to New Orleans...". While gay and feminist groups planned an "Anita Bryant Look-Alike Contest" in the French Quarter in order to mock the singer, a pro-Anita group named "Christians for Anita" organized to hand out bumper stickers which read "Pray for Anita."¹⁴³

The Times-Picayune described the Little Havana neighborhood of Miami the night before the referendum as "heavy with the heat of 11th hour politicking." Anita Bryant spent the evening before the vote denouncing homosexuals in a speech addressed to the heavily Hispanic neighborhood where about two hundred residents gathered to watch her speak. Through a

¹⁴² "Anita Bryant-Yeas, Nays," Views of Readers, *The Times-Picayune*, May 24, 1977; Views of Readers, *The Times-Picayune*, May 25, 1977.

¹⁴³ "Anita Bryant Boycott is Killed," *The Times-Picayune*, May 26, 1977.

Spanish interpreter, Bryant declared “They’re not asking for human rights. They’re asking for human rot.” When Bryant broke into a rendition of “Battle Hymn of the Republic,” applause swept the crowd. This spirit of revival carried over to the following day’s vote, in which Dade County Ordinance No. 77-4 was repealed by an overwhelming percentage of the popular vote.¹⁴⁴

The successful repeal of Miami’s anti-discrimination ordinance was presented by both sides of the vote as the first battle in a long national war over gay rights. With the declaration that “The laws of God and the cultural values of man have been vindicated,” a triumphant Bryant declared she would take her fight to other communities. Jack Campbell, leader of the local effort to defeat the repeal assured a gathering of one hundred supporters at the Fountainbleau Hotel the night of the election that:

We’ll continue from here... We’ve unified the gay community and brought national attention to the issue.” Underscoring the importance of what she had accomplished while simultaneously warning future detractors, Bryant declared after the referendum that “All America and all the world will hear what the people have said, and with God’s continued help we will prevail in our fight to repeal similar laws throughout the nation which attempt to legitimize a lifestyle that is both perverse and dangerous to the sanctity of family, dangerous to our children, dangerous to our freedom of religion and freedom of choice, dangerous to our survival as ‘one nation, under God.’¹⁴⁵

By the end of 1977, *TIME* magazine would point to the Miami referendum as the moment when Bryant became for gay rights activists “the symbol of what they must overcome in order to gain the full rights that are still denied them.” With less than two weeks until her Summer Pops performance, this was never more true in early June than in New Orleans. Bryant’s success in Miami bolstered to perceived need for a national front to be mounted against her in New Orleans, and activists from across the country gravitated to New Orleans to protest her presence in the Crescent City. H.E.R.E. invited their gay partners from other cities to join in a planned protest

¹⁴⁴ Jeff Prugh, “Dade County Split by Emotional Tiff Between Singer and Homosexuals,” *The Times-Picayune*, June 6, 1977; Lee Gould, “Dade Kills Homosexual Protection,” *The Times-Picayune*, June 8, 1977.

¹⁴⁵ Lee Gould, “Dade Kills Homosexual Protection,” *The Times-Picayune*, June 8, 1977.

march throughout the French Quarter on June 18, the date of the Bryant concerts, promising to line the balconies of city streets with banners crying “Anita Go Home.” H.E.R.E. planned the march to begin at 5:30 p.m. in Jackson Square, where Sgt. Leonard Matlovich, a gay activist who had been discharged from the military for his sexual orientation, would speak at a rally. The planned event would be both the first “anti-Bryant” rally since the Miami referendum as well as Bryant’s first public performance, making expectations for the weekend to be high for the local gay community. Local gays opened their homes to out-of-towners who had travelled to New Orleans to join the protest, facilitated by the coordination of major gay groups throughout the South and the rest of the country, leading to high expectations of a successful turnout among the local gay community. H.E.R.E. leader David Wynne to be reported in *The Times-Picayune* as claiming that his organization was planning “the largest civil rights demonstration in New Orleans history.”¹⁴⁶

Counter protesters also organized to provide an alternative show of support for Bryant during her visit to New Orleans. A week before the concert, members of “Christians Behind Anita” gathered at the Holiday Inn Highrise East to plan their own demonstration. With the goal being to get the attention “off Anita and onto Jesus,” the group decided to hold a prayer meeting in front of the Municipal Auditorium on the Saturday in which the venue was holding the Bryant concert.¹⁴⁷

During the week leading up to the Friday and Saturday concerts featuring Bryant on June 17 and 18, attention to the singer and her antigay crusade reached a fever pitch within and outside the city. While Summer Pops coordinators insisted the concerts would be apolitical, Bryant’s looming performances galvanized supporters and detractors across the nation. At the Southern Baptists Convention being held that week in Kansas City, Missouri, a resolution was passed

¹⁴⁶ “Gay Protest Planned for Anita’s Show,” *The Times-Picayune*, June 10, 1977; Alan Citron, “Pro-Anita Army Bands Here,” *The Times-Picayune*, June 11, 1977; “The Gaycott Turns Ugly,” *The Nation*, *TIME*, November 21, 1977.

¹⁴⁷ Alan Citron, “Pro-Anita Army Bands Here,” *The Times-Picayune*, June 11, 1977.

commending Bryant “for the courageous stand recently taken In Biblical morality.” United States Senator from California Samuel I. Hayakawa publicly supported Bryant’s position on the Miami anti-discrimination ordinance with the claim that “Civil Rights does not entitle a person to a job and never has.” The San Francisco based Council on Religion and the Homosexual filed a complaint urging the Federal Communications Commission (FCC) to require broadcasters give equal time to pro-gay voices when Bryant’s anti-gay views were broadcast.¹⁴⁸

Locally, the New Orleans chapter of the National Organization for Women (NOW) voted to support HERE’s June 18 rally as NOW’s president called out Bryant for teaching “intolerance and bigotry.” A pro-gay religious service took place at the First Unitarian Church on Jefferson Ave. the night before the first concert to counter the planned pro-Bryant religious demonstration. Yet, while pro-gay forces united with feminist, civil rights, and religious groups, the police tasked with maintaining peace over the weekend were concerned of possible violent clashes between demonstrators. Nationally, eyes were on New Orleans that week, and the stakes were high for each side of the gay rights debate.¹⁴⁹

Protesters held a low-key demonstration the night of the first performance on Friday, June 17, as pro-gay coordinators were waiting until the following days performance to unleash a massive demonstration on a grand scale. According to H.E.R.E. estimates, around two hundred demonstrators lined N. Rampart close to the Municipal Auditorium for about an hour, silently holding lit matches in protest. No feared incidents between protesters occurred, yet considering

¹⁴⁸ Alan Citron, “Van Breda Kolff Signed as Emcee for Bryant Show,” *The Times-Picayune*, June 11, 1977; Wesley Jackson, “Anita Resolution Draws Ovation from Baptists,” *The Times-Picayune*, June 15, 1977; NAMES-Make News, *The Times-Picayune*, June 15, 1977; “Gays Want Equal Time,” *The Times-Picayune*, June 16, 1977.

¹⁴⁹ “NOW Attacks Anita’s Crusade,” *The Times-Picayune*, June 13, 1977; “Religious Service for Gay Rights,” *The Times-Picayune*, June 13, 1977; Troy L. Baldwin, “NOW Supports Gay Rally,” *The Times-Picayune*, June 16, 1977; “NOPD Pledges to Prevent Anita Groups Confrontation,” *The Times-Picayune*, June 17, 1977.

more police officers were present than the thirty pro-Bryant demonstrators, there was scant opportunity for violence.¹⁵⁰

The following day's protest greatly surpassed the previous night's protest in tenor and scale, yet like the silent protest the night before Saturday's events were equally without incident. The demonstration began in the French Quarter's Jackson Square, which was overrun by activists waving signs and chanting "Out of the closets and into the streets!" The array of speakers representing various social movements supported H.E.R.E.'s push to have gay rights embedded in the larger discourse of civil rights. Speakers ranged from groups urging the passage of the Equal Rights Amendment and the Gay Rights National Lobby, yet their message was the same, urging the crowd to "tell the country our time is now." Lesbian-feminist lobbyist Jean Apuso argued that the Miami vote marked the beginning of "a grown-up gay movement in America," adding that "We are their children, and the closet is no place to keep us."¹⁵¹

As demonstrators marched the few blocks from Jackson Square to N. Rampart St., some watched from the safety of the bars they while others left their drinks to join the growing parade. The balconies were filled with watchers, whether supporters of the demonstrators or not, and all eyes were on the unusual sight of an overtly political demonstration the length of several blocks which snaked through the French Quarter streets. As the marchers finally reached the Municipal Auditorium, they burst out in song, most notably perhaps being the patriotic standard "God Bless America." The pro-Bryant presence was present but small, and their presence was completely swamped by more than 1,500 pro-gay demonstrators. Despite being greatly outnumbered by their

¹⁵⁰ Alan Citron, "Anti-Anita Forces Hold Silent Protest," *The Times-Picayune*, June 18, 1977.

¹⁵¹ Alan Citron, "'Out of the Closets, Into Streets' is Gay Protest Rally Cry," *The Times-Picayune*, June 19, 1977.

detractors, there were no violent incidents reported during the demonstration, leading the NOPD to describe the entire event as “nice and peaceful.”¹⁵²

After Bryant’s performance concluded and the day’s long demonstration receded into the night, it became clear what had been achieved in New Orleans that day. The weekend after the New Orleans protests, pro-gay activists marched in various cities around the country, delivering the same anti-Bryant message which began in Dade County before gaining traction in New Orleans. During the last weekend in May of 1977, thousands of protesters took to the streets to protest hatemongering. They ranged in size from large as in New York, Chicago, Atlanta, and San Francisco to small as in Provincetown, Rhode Island and Kansas City, yet they spurred to take to the streets by the same cause. Susan Hummer, program director for the Gay Community Services Center in Los Angeles was certain the explosion in demonstrations was a direct result of the Bryant Campaign, stating that “There are people who have not marched before who say they will march today as a statement to the city and the country that we won’t stop existing.”¹⁵³

As for the singer who in the span of a few short months had become the national symbol for both supporters and detractors of gay rights, her career never recovered. By the Sunday morning after the New Orleans concert, the press was reporting that the Florida Citrus Commission was looking to end the \$100,000 a year contract with the singer as a direct result of her involvement in the Dade County referendum and the resulting boycott of Florida orange juice. When asked about the possibility of his wife being dumped for her activism, Bob Green responded that “If this is true, then it’s a big victory for homosexuals.” After having spent twelve years as the face of

¹⁵² Lovell Beaulieu, “No Incidents at Anita Protest,” *The Times-Picayune*, June 19, 1977; Bill Grady, “Pro-Bryant Group Small,” *The Times-Picayune*, June 19, 1977; Alan Citron, “‘Out of the Closets, Into Streets’ is Gay Protest Rally Cry,” *The Times-Picayune*, June 19, 1977.

¹⁵³ “Gays Hold Marches in Several Cities,” *The Times-Picayune*, June 19, 1977.

Florida orange juice, her contract with the Florida Citrus Commission was eventually allowed to lapse in 1980, leading to a post-Miami career slump from which she was never able to recover.¹⁵⁴

For the New Orleans gay community, there was no returning to the pre-Bryant days of being content with a smattering of gay-friendly bars, neighborhoods, and Carnival krewes. Eight years after Stonewall, and four years after the Upstairs Lounge fire, the Bryant protest officially radicalized what had been a largely apolitical community. The atmosphere of activism which had galvanized gay communities in urban centers throughout the United States during the 1970s, finally reached a gay community whose activist groups had been fighting an uphill battle toward mobilization for the better part of a decade.

Two months after anti-Bryant demonstrations swept through American cities, the New Orleans gay publication *Impact* used its inaugural issue to encourage local gays and straight allies not to rest on their laurels. Commenting on how many could “breathe a bit easier” after the Bryant episode, *Impact* warned readers “Do not dupe yourself that this is all over. It is by no means over. Sooner or later another Anita will come along and it will all start over again.”¹⁵⁵

The Summer of 1977 was a pivotal turning point for the New Orleans gay community, as it marks the moment in which the gay men, lesbians, and straight allies mobilized for the mission of gay rights. Soon after the Bryant demonstrations, new gay publications, bookstores, organizations and causes developed and in the Crescent City. Many gay Krewes adopted an activist element to their celebrations and by the early 1980s several popular, as well as very public, gay pride events were born. Following the charge of the signs often held by protesters, the New Orleans gay community had finally “come out of the closet and into the streets” en masse. However, as

¹⁵⁴ “Anita May Lose Her Job,” *The Times-Picayune*, June 19, 1977; “Anita Squeezed Out of Orange Juice Job,” *The Times-Picayune*, August 31, 1980.

¹⁵⁵ L.W. Rogers, “Anita Bryant and Your Vote,” *Impact*, September 1977, 4.

Impact warned New Orleans gays in its very first issue, the struggle was by no means over. How strong the bonds developed by the gay community in New Orleans as well as nationally were about to be tested on a scale never before encountered, as the impending HIV/AIDS epidemic, buttressed by an indifferent presidential administration and a frightened national culture, threatened to decimate the country's gay population and push the survivors back into the closet forever.

6 A COMMUNITY BECOMES RADICALIZED

There was still skepticism that the passion displayed during the Bryant demonstrations could be maintained, and the local gay press was eager to gauge the sustainability of a possible radical movement. Commissioned by *Impact* to write an article on the state of “gay unity” in New Orleans, Harry Wingard surveyed the five most prominent local gay organizations. After speaking with representatives from the Gertrude Stein Society, Integrity, H.E.R.E., the Metropolitan Community Church (MCC), and the newly established Pink Triangle Alliance, the consensus was clear that although there were “plenty” of gay organizations in the city, there was still a considerable lack of man power. Typical of the resentment many gay activists felt for the historically apolitical culture of the city’s gay community, Wingard chose not to conduct interviews in gay bars, as his “last attempt at serious political conversation with a bar patron had ended with my explaining to him what E.R.A. stood for.” Admonishing what he viewed as a lack of will among gay locals to become invested in political causes, Wingard declared that “Gay unity is not something that is done in bed, and gay rights should mean a lot more than the freedom to hold hands on Bourbon Street.” This was a typical indictment among gay activists of the so-called bar-going population within New Orleans. Wingard’s indictment of most local gay men as apolitical was hardly a novel indictment, yet was shortsighted in its failure to appreciate how important the bar scene would become to mobilization in the years following his article.

The fallout from the Anita Bryant protests came fast and fierce in New Orleans. There was an immediate push to organize in Bryant’s wake, made more urgent by the fear that a newly galvanized gay community will lose their political passion. Therefore, the story of the post-Bryant era for the New Orleans gay and lesbian community was not one of instantaneous radicalization forever present in a once complacent but now enlightened population. Activism existed before Bryant, but tools for mobilization were limited. The magnitude of response to the

Bryant concert was both surprising and exciting for gay activists, yet the struggle to mobilize continued to be an uphill battle. What did in fact change was the number of gay rights groups which were created out of the anti-Bryant movement compounded with a tenacious dedication from new gay leaders. Also, whereas before Bryant gay visibility was still largely covert, the willingness of many brave men and women to be the public face of the gay movement intensified, leading to a series of political/legislative successes and reforms. However, despite the velocity at which a once politically apathetic community became radicalized, New Orleans gay men and lesbians would combat new and existential challenges during the 1980s. Ultimately, the post-Bryant era was one of triumph and despair which would test the fortitude of a newly radicalized gay and lesbian community.

Still galvanized by the Bryant demonstrations of the previous summer, nearly two hundred people crammed into Charlene's Bar on February 27, 1978 for what *Impact* referred to as the New Orleans's "first gay legislative forum." Sponsored by gay activist groups The Gertrude Stein Society and H.E.R.E., as well as the recently launched local gay publication *Impact*, four of the five candidates in the District 4 state senatorial race were present to speak with constituents. Charlene's was ostensibly a lesbian bar operating at 940 Elysian Fields in the Marigny neighborhood adjacent to the French Quarter. Charlene Schneider opened the bar in 1977 after a police raid on a gay bar. She had a government job at the time and lost her security clearance as a result of the arrest and subsequent public outing. Having lost her career, Charlene gravitated to a job bartending, a practice not unusual for many gay men and lesbians whose career opportunities became seriously limited after being outed in local newspapers. Schneider

made a point of being active in the gay community and would remain a prominent figure throughout the nearly three-decade existence of her eponymously named bar.¹⁵⁶

Despite the French Quarter and the Marigny being the epicenter for gay social life, District 4 also encompassed the Treme and Lakefront neighborhoods of New Orleans, and turnout from the entire district was strong. The candidates, none of whom were homosexual, did their best to appeal to their gay constituents, yet their remarks about how they would address the needs of the gay community in particular betrayed how novel the practice of appealing to a gay electorate was in 1978. When pressed on gay rights, candidate Hank Braden replied “I don’t know what you mean by gay rights. The term is too general.” When questioned about helping end anti-gay discrimination, he responded that he “was not aware of any discrimination in these areas.” More proactive in reaching out to the gay community was Matt Suzrez, who proclaimed his belief in equal rights for all, “even gays.” The current state representative, Louis Charbonnet III, talked up his leadership during the French Quarter stabbings and his close relationship with local gay business leaders like Schneider. Notably, Charbonnet supported the repeal of the sodomy statute proposed by state Rep. Johnny Jackson, who was also the only state representative to publicly support the Anita Bryant demonstrations the previous year. The sodomy laws were often used by police to entrap homosexuals and its repeal would become a vital priority for gay activists in coming years.¹⁵⁷

This meeting marks an evolution of the New Orleans gay bar, which had historically been both a safe space for the gay and lesbian community as well as a target of anti-gay regulation. The fact that candidates for a legislative position which has historically been used to marginalize

¹⁵⁶ “Gay Community Queries Candidates,” *Impact*, March 1978, 1; Larry Rogers, “Gays Show Pride,” *Impact*, July 1978, 2.

¹⁵⁷ “Gay Community Queries Candidates,” *Impact*, March 1978.

the gay community were now holding a forum inside a gay bar and actively soliciting gay votes marks the beginning of a major shift in the relationship between the gay community and public officials. Ultimately, as *Impact* blatantly stated in its appraisal of the forum, “Perhaps the evening’s most pertinent question for the community was what gays should do for better treatment.” The New Orleans gay and lesbian community’s mission during the post-Bryant era was to answer this question.¹⁵⁸

In commemoration of the Stonewall riots, by the late 1970s the last week of June had increasingly become devoted to gay pride festivities. This week took on special local significance to the gay New Orleans community in 1978. It not only marked the anniversary of the anti-Bryant demonstrations, but marked a year in which serious strides were made toward political mobilization. This push toward radicalization was especially significant considering how largely apolitical the community had been to this point.¹⁵⁹

June 25, 1978 marked what *Impact* referred to as New Orleans’ “first annual gay pride.” Held in Jackson Square, the same location where an estimated 1,500 demonstrators had gathered a year prior for the Anita Bryant protest, the magazine reported that the “Pride” festivities were “well attended for the first of its kind in the city.” Speakers included representatives from national organizations like the American Civil Liberties Union (ACLU) and the National Organization for Women (NOW). One speaker wore a bag over her head, claiming that due to anti-gay discrimination, if her identity were to be revealed she would be fired from her job. Ex-NOLA NOW president Anabelle Walker spoke about how after years of fierce debate within the organization, gay rights had finally become part of the NOW national convention agenda. But the festivities were not just political, as the entertainment included music, poetry, and even

¹⁵⁸ “Gay Community Queries Candidates,” *Impact*, March 1978.

¹⁵⁹ Larry Rogers, “Gays Show Pride,” *Impact*, July 1978, 2.

mimes. In the crowd, attendees held signs reading slogans including “Better Blatant than Latent” and “Closets Are For Clothes,” highlighting the recent push among local activists for visibility. The festivities, however, did not end on that day in Jackson Square, as picnics, dinners, and religious services were planned around town extending into July.¹⁶⁰

Not everything went smoothly, however, during these early post-Bryant attempts to work together, however congruous the end goals. H.E.R.E. had been created ostensibly as a byproduct of the animosity directed toward Bryant. Its existence, along with the presence of religious the religious based MCC and Integrity, as well as the Gertrude Stein Society and the Pink Triangle Alliance, were signs of not just outrage, but organization.¹⁶¹

However, calls for an “active, working council” comprised of various local gay organizations and businesses faced challenges. A spokesperson for Integrity, a religious group whose mission was to promote pro-gay change with an Episcopal Church, placed the blame on “a reluctance to put aside individual differences and loyalties for the sake of the whole gay community.” Adding to the difficulties coordinating between gay organizations was the specter of apathy within the gay community, which H.E.R.E. president Mike Thurber blamed for organizational challenges. Thurber still feared that despite the anti-Bryant demonstrations, local gay residents were still reticent to join H.E.R.E. for fear of their sexual orientation becoming public, preferring to not “make waves” on the issue of pro-gay legislation.¹⁶²

The push to bridge the political and social worlds continued. The Gertrude Stein Society surveyed downtown gay bars during the run up to 1978’s “Pride Week” to find out how many local gay men and lesbians were registered to vote. After surveying 355 bar patrons, it was

¹⁶⁰ Larry Rogers, “Gays Show Pride,” *Impact*, July 1978, 2; Charlene Schneider, “Speaking Out,” *Impact*, July 1978, 2.

¹⁶¹ Larry Rogers, “Gays Show Pride,” *Impact*, July 1978, 3-4.

¹⁶² *Ibid.*

discovered that sixty-one percent of gay New Orleans residents were registered to vote, yet only thirty-eight percent voted in the previous year's mayoral election.¹⁶³

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Aside from entertainment, it was important to Gay Pride Week organizers that the needs of the gay community be addressed during the festivities. For instance, a 24/7 "Gay Crisis Line" was promoted. The crisis line was established partly by gay religious groups Lutherans Concerned and Integrity "for gays needing information, problem solving, and/or referrals." The work of the "Gay Crisis Line," which was facilitated by the Care & Counseling Center in the

¹⁶³ Alan G. Robinson, "Gertrude Stein Conducts Voting Poll," *Impact*, July 1978, 6.

¹⁶⁴ Larry Rogers, "Gays Show Pride," *Impact*, July 1978, 2; Charlene Schneider, "Speaking Out," *Impact*, July 1978, 2.

French Quarter, went beyond only dealing with “crisis situations,” but also served as an information hotline for various topics concerning the gay community. Within thirty days of operation, the crisis line received two hundred and fourteen calls from people inquiring about topics ranging from the lesbian social scene to resources for addiction and domestic abuse.¹⁶⁵

The Gay Crisis Line was part of a trend to address gay issue outside of the bar scene. The establishment of a more fully formed community outside the barroom included not only political mobilization, religious groups, and crisis intervention resources. There was also a push to patronize gay-owned businesses. Advertising in the pages of national gay publications like *The Advocate* and the local pages of *Impact* served as vehicles for gay-owned establishments to promote themselves directly to the gay community with a visibility not previously accessible, marking an important advancement for the New Orleans gay community, as it underscores the widening spaces on which gay community was built.¹⁶⁶

The path to sustained mobilization was predicated on consistent communication with City Hall. Prior the 1977 New Orleans mayoral election, the relationship between mayoral administrations and the gay community was overwhelmingly hostile. The legacy of the Morrison administration’s moral crusading and the city’s subsequent indifference toward the victims of the Upstairs Lounge fire still resonated in the collective memory of the city’s increasingly political gay and lesbian population. Despite a pitiful track record, political support for local gay causes was important if antidiscrimination legislation was going to be passed. More importantly, acknowledgment from city officials that homosexuals were a vital part of the city landscape, and not a blight on it, became necessary if progress was going to be made. Becoming part of the

¹⁶⁵ “Gay Crisis Line,” *Impact*, July 1978, 6; Larry Rogers, “We Care: A Report from the Care & Counseling Center,” *Impact*, July 1978, 14.

¹⁶⁶ “Advocate Appoints Ad Rep,” *Impact*, July 1978, 6.

political process, and not just a recipient of it, became the mission of several nascent gay organizations during the late 1970s. Fortunately, the burgeoning post-Bryant activist movement in New Orleans found a sympathetic ear in the city's new mayor, Ernest "Dutch" Morial.

Whilst the newly radicalized gay and lesbian community mobilized, Morial had been breaking seemingly social barriers for years. He was the first African-American graduate of Louisiana State University law school, the first African-American member of the state legislature since Reconstruction, and in 1978 became the first African-American mayor of New Orleans.¹⁶⁷

The relationship between Ernest "Dutch" Morial and the New Orleans gay community began during his mayoral campaign in the election of 1977. During a meeting between Morial's campaign manager and local organizations as well as the media, Morial's representative connected the candidate's personal history combatting discrimination to the struggles of the gay community. When pressed on the specifics of how Morial would help New Orleans gay residents, the representative stated that the mayor's "Human Resources Committee" would field and potentially respond to any discrimination complaints.¹⁶⁸

In response to Morial's campaign manager's vague declaration that the candidate was "definitely in favor of human rights for everyone, representatives for the gay community made it clear that gay New Orleans residents needed Morial to take a clear and visible stand on gay rights, demanding not only "toleration" but "acceptance." Attempting to clarify this issue, The Gertrude Stein Society provided a questionnaire on gay concerns to the mayor's office. Morial, or a possible spokesperson considering the questionnaire was left unsigned, made it clear in the

¹⁶⁷ "Lee Re-Elected by Claver Group," *The Times-Picayune*, August 2, 1954; "Area Parishes Vote to Fill 108 Police Jury Posts Today," *The Times-Picayune*, December 16, 1967; Arnold R. Hirsch, "New Orleans Sunbelt in the Swamp," in *Sunbelt Cities: Politics and Growth Since World War II*, ed. Richard M. Bernard and Bradley R. Rice (Austin: University of Texas Press, 1983), 123.

¹⁶⁸ Larry Rogers, "Morial Representative Meets with Gays," *Impact*, July 1977, 16.

response that the candidate believed discrimination against homosexuals existed in city employment and that a person's sexual orientation did not impact their job performance. Furthermore, Morial laid out plans for outreach beyond the establishment of the Human Relations Committee by professing he would be happy to approve an openly gay candidate to his administration.¹⁶⁹

The necessity for strong gay political organizations which could work with the Morial administration was predicated by the glaring omission of gay voices within established municipal organizations. When the city council passed a resolution imploring the Morial administration to establish a citizen committee comprised of a diverse cross-section of the city's population racially, economically, and geographically, not a single representative of the gay community was invited to join. Tasked with the mission of reducing neighborhood crime, the Citizens Committee Against Crime was created as a liaison between the municipal agencies, including the police, and the general public. It also provided citizens with a platform to voice concerns about the criminal justice system. Considering the extent of the impact the New Orleans criminal justice system had on the gay community throughout the years, as well as the fact that the city's gay-concentrated neighborhoods had high crime rates, it was shocking to activists that no representatives from the gay community was asked to become one of the committee's fifty-five members representing over a dozen neighborhood associations. This frustration was conflated by the fact that the mayor's office, which had reached out to the gay community during the campaign season, selected committee members directly.¹⁷⁰

Persecution did not just come from aggressive police tactics, as gay men and lesbians were also victims of crime. Though in many cases gay victims would not report even violent

¹⁶⁹ Larry Rogers, "Morial Representative Meets with Gays," *Impact*, July 1977, 16.

¹⁷⁰ Alan G. Robinson, As I See It, "No Intentional Admission," *Impact*, June 1979, 4.

crime out of fear of having their sexual orientation being made public or the expectation of police apathy. Likewise, the fear of retaliatory “queer bashing” or blackmail prevented possible witnesses from coming forward, further deepening the distrust between the gay community and police. To those concerned with ending gay victimization, the omission of gay committee members only calcified the belief that city officials did not care about the safety of the gay community.¹⁷¹

It was important to not just strengthen the gay community’s relationship with the mayor’s office, but with the police department which had so often been the perpetrators of antigay harassment. In September 1978, *Impact* questioned James Parsons, the new superintendent of the New Orleans Police Department (NOPD), directly about how his police force would treat gay individuals. Parsons essentially repeated the statements of those who preceded him that it was not homosexuals specifically which were being targeted by police, but public displays of criminality, assuring the magazine that “We will not seek out clandestine meetings between homosexuals. That will not be of any concern to us. What we are concerned about and what we have had numerous complaints about is aggressive male prostitution.” Despite Parsons’ insistence that he personally had “no hang-ups about homosexual acts,” laws regulating vagrancy, prostitution, and sodomy would continue to be used by the NOPD to attempt to control the city’s gay population.¹⁷²

The omission of gay individuals from the citizen committee along with the police superintendent’s denial that homosexuals were police targets made gay leaders realize that waiting to be invited to join the conversation on how best to protect all segments of the New Orleans community was a nonstarter. Therefore, instead of complaining about being left out of

¹⁷¹ Alan G. Robinson, As I See It, “No Intentional Admission,” *Impact*, June 1979, 4.

¹⁷² “Parsons Talks with Impact,” *Impact*, June 1979, 3-4.

the Citizens Committee Against Crime, they established their own. The Gay Citizens Committee Against Crime was formed in the summer of 1979, comprised of members with various gay backgrounds and tasked with examining investigations involving gay citizens as well as providing feedback to appropriate agencies as to how these investigations could be improved.¹⁷³

Although gay activist leaders may have been frustrated with the Morial administration for excluding them from his administration's citizen committee, the Gay Citizens Committee Against Crime was not created out of spite. Rather, there was serious concern about crime in gay concentrated neighborhoods, and it was the view of the committee's founders that gay input was a necessity for crime reduction. Furthermore, the sixteen-member committee consisted of representatives of various gay organizations, providing for a cooperative forum which previously did not exist.¹⁷⁴

The groups making up the committee were comprised of several young and veteran groups. These included the Gertrude Stein Society, the ACLU, NOLA NOW, the religious based groups Lutherans Concerned and MCC, and the newly established Gay Business Association of Louisiana. This was one instance reflective of a shifting trend toward gay groups working together as opposed to the local tradition of exclusive organizations. It also yielded a positive reaction from the mayor's office, which soon after appointed gay activist Alan G. Robinson to the Citizens Committee Against Crime.¹⁷⁵

Robinson had been active in the creation of the parallel gay citizen committee and his appointment was significant because it made him the city's first openly gay representative on a municipal committee. This also provided the local gay community with a liaison to the mayor's

¹⁷³ "Gay Citizen's Committee Against Crime Forms in N.O.," *Impact*, June 1979, 31.

¹⁷⁴ *Ibid.*

¹⁷⁵ "Morial Appoints Gay Activist," *Impact*, August 1979, 2.

office. Robinson was an important figure in the process of politically mobilizing the New Orleans gay community. Born in 1949, Robinson worked throughout most of the 1970s as an auditor for several local hotels. He also held a large presence within the city's burgeoning activist community. At various times throughout the decade he served as the New Orleans correspondent for the national gay publication *Advocate*, editor of "Gertrude's Notes" for the Gertrude Stein Society, and had articles published in *Impact*. Prior to his appointment to the Citizens Committee Against Crime, he was affiliated with the Southeastern Conference of Lesbian and Gay Men. Soon after his appointment to the citizen committee, Robinson announced he was running to be on the Democratic Central Committee, making him the first openly gay candidate from New Orleans to run for a political position.¹⁷⁶

Roberts Batson was another key figure in mobilizing political activism among the New Orleans gay community during the post-Bryant era and served as an important part of Robinson's run for office. In the November 1979 issue of *Impact*, Batson assuaged activist concerns that the local gay community may be too politically apathetic to stay mobilized, writing that the educational outreach and fundraising being conducted by the Gertrude Stein Society and other gay groups, the establishment of *Impact*, and the success of the first Gay Fest "showed that the lethargy so often mentioned in New Orleans could be overcome by energy and commitment." The next crucial step, according to Batson, was for the gay community to engage the political process. As Batson viewed it, challenges facing the gay community were largely due to discriminatory laws and lack of legal protections, therefore "the only effective way to improve this situation is through the political process."¹⁷⁷

¹⁷⁶ "Morial Appoints Gay Activist," *Impact*, August 1979, 2.; Charlene Schneider, "Speaking Out," *Impact*, September 1979, 4; Alan G. Robinson resume, box K8, Folder: "Gay Community," Ernest M. Morial Records, Division of Human Resources, CANOLA.

¹⁷⁷ Roberts Batson, "Analysis and Comment-The Robinson Campaign," *Impact*, November 1979, 2.

According to Batson, Robinson was the perfect choice to be the first openly gay candidate for office due to his affiliation with the mayor's Citizens Committee Against Crime, and encouraged him to run to represent District 70 in the State Central Democratic Committee. Batson viewed the position as ideal due to the committee existing at "the grassroots level" and District 70 having the highest concentration of openly gay residents in Louisiana. Seizing the opportunity, Batson accompanied Robinson to the Clerk of Court's office on August 10, 1979, the last day of qualifying to become a candidate. As a nervous Robinson paid the qualifying fee and signed the necessary paperwork, an excited Batson thought to himself that "a small but significant moment in our history was happening."¹⁷⁸

The campaign to promote Robinson as a viable candidate was a challenging one. Despite the large homosexual population in the district, it was unclear how his sexual orientation would play at the polls. It was also inescapable that he was a political novice running against four established figures, each of whom enjoyed the backing of local organizations. Robinson did not have a single endorsement.¹⁷⁹

Ultimately, Robinson did not win his campaign. Two delegates were being elected to represent District 70, and out of six candidates, Robinson came in fourth place, lacking only one hundred and forty-four votes necessary to make the runoffs. Despite the loss, the Robinson campaign marked a considerable step forward in the New Orleans gay political movement. How an openly gay candidate ran their campaign was of considerable interest to the political establishment, and impressions of how Robinson and his campaign comported themselves was favorable. Batson also points out that despite the loss, gay activists learned a great deal about the local political process and could use these tools moving forward. Batson and other volunteers

¹⁷⁸ Roberts Batson, "Analysis and Comment-The Robinson Campaign," *Impact*, November 1979, 2.

¹⁷⁹ Larry Rogers, "Morial Representative Meets with Gays," *Impact*, July 1977, 16.

would spend nights strategizing and days canvassing the neighborhoods. Despite the loss, he concludes that the Robinson campaign was a flashpoint for the local gay community:

Last, and I feel, most importantly, we have created the beginning of a political organization. It's a small base, to be sure, but a solid one. With this election, more gay people became involved in the political process than ever before. I was surprised and delighted with the number of men and women who contributed so much energy and support to the campaign.¹⁸⁰

As Robinson wrote in a column thanking his supporters in the same issue of *Impact*, "We have created a momentum that cannot be stopped." Both Robinson and Batson's optimism proved to be prophetic, as the growth of local gay involvement in the political process came to parallel the increased growth in courting the gay community.¹⁸¹

At the dawn of the 1980s, the cautious optimism gay activists had for establishing a resonant culture of political activism became a reality. The Louisiana Gay Political Action Caucus (LAGPAC) was formed in August of 1980 with around fifty members, and soon became the most prominent, and arguably effective, local gay political organization of the decade. Starting as a state-wide organization until forming the New Orleans Regional Chapter of LAGPAC (NORCO-LAGPAC) and the Baton Rouge Area Gay Political Action Caucus (BRAGPAC) in 1982, LAGPAC and its chapters became highly involved in the political process statewide, always with a consistent mission to support gay-friendly issues and candidates.¹⁸²

LAGPAC boasted noticeable successes during its early years by courting favor from politicians with their political endorsements. After his runoff opponent refrained from voicing a position on gay rights, the organization campaigned hard for Morial's reelection, possibly

¹⁸⁰ Larry Rogers, "Morial Representative Meets with Gays," *Impact*, July 1977, 16.

¹⁸¹ "Thank You from Alan Robinson," *Impact*, November 1979, 2.

¹⁸² "The State of the Caucus-January 1983," newsletter, Folder 1073-1-1-1, Louisiana Lesbian and Gay Political Action Caucus, collection 1073, LaRCTU.

making a difference in a tough race. LAGPAC endorsements extended beyond the mayor's office, however, as the group believed every democratically elected position could impact the lives within the gay community. They successfully endorsed a judge to the Criminal Court and even supported the successful campaigns of two school board members. Having an impact on the school board was viewed as especially significant, as having a school board sensitive to the needs of gay teachers, students, and parents was important during an era when a gay presence in the classroom was often met with hostility. Ultimately, during 1982, out of eleven candidates running for public office and endorsed by LAGPAC, eight were elected. Also, four actual members of LAGPAC were elected to party offices, further injecting the gay community into the local political process.¹⁸³

LAGPAC grew quickly, acquiring within one year over two thousand addresses for their mailing list consisting of primarily New Orleans residents. A substantial reason for the organizations success was the cooperation between the gay male and lesbian community. When the organization was first established, forty percent of membership were women. This marks a turning point for the New Orleans gay community due to the fact that, as LAGPAC co-chairs Mary E. Jones and Cathy Moser argued in their 1983 "State of the Caucus" memo, "This almost equal proportion of women to men is rare among political organizations" and "is also the source of a great deal of LAGPAC's political strength as we can reach both communities effectively." Furthering the bridge between the gay male and lesbian community was the formation of the Lesbian Feminist Caucus of LAGPAC, which was fundamentally committed to providing "a

¹⁸³ "The State of the Caucus-January 1983," newsletter, Folder 1073-1-1-1, Louisiana Lesbian and Gay Political Action Caucus, collection 1073, LaRCTU.

service which allows women to deal with those problems closest to their hearts and a means of bringing women much closer to each other and to gay men.”¹⁸⁴

Fundraising was an incredibly important function of LAGPAC for both its own survival as well as a means to distribute information to the general public. Between 1981 and 1982, nine fundraisers were held netting \$1400 on non-operating expenses, including campaigning and developing chapters. These fundraisers were held primarily at bars, further consolidating the social and political/activist spheres within the gay community.¹⁸⁵

LAGPAC’s success was contingent on more than political endorsements and demonstrations, but taking an active role in the political process. Lobbying was an essential component of LAGPAC’s mission, as it gave the gay community a chance to educate legislators about their needs and concerns. In December of 1981, LAGPAC representatives met with conservative U.S. Representative Robert Livingston about a Moral Majority backed sexual reform bill. Soon after the meeting, Livingston gave what LAGPAC co-chairs referred to as a “surprising” speech opposing the bill. A LAGPAC board member also set up a meeting between U.S. Representative John Breaux and various Louisiana based gay groups to inform the congressman about the concerns and needs of his gay constituents. Communication between legislators and the gay community was a novel concept in Louisiana, and these are but two of various instances of this expanding trend.¹⁸⁶

As Morial’s first term as mayor progressed, the relationship between his administration and gay leaders became increasingly consequential for the local gay community. While the

¹⁸⁴ “The State of the Caucus-January 1983,” newsletter, Folder 1073-1-1-1, Louisiana Lesbian and Gay Political Action Caucus, collection 1073, LaRCTU; Alan Robinson, “Overview of the Gay Community of New Orleans 1981,” Box K8, Folder “Gay Community,” Morial Records, CANOLA.

¹⁸⁵ “The State of the Caucus-January 1983,” newsletter, Folder 1073-1-1-1, Louisiana Lesbian and Gay Political Action Caucus, collection 1073, LaRCTU.

¹⁸⁶ Ibid.

community was evolving and becoming increasingly political, typical police harassment procedures were still being employed against an increasingly visible gay population. On the evening of Friday, April 24, 1981, police arrested fifty-two people for “obstructing the sidewalk.” City Ordinance 61-114.1 was a seldom used, constitutionally suspect law that was only used that evening to arrest individuals standing in front of three gay-friendly bars, Jewel’s Tavern, LeBistro, and Tucky’s Dome. While being held in Central Lock-up, the attorney representing most of those arrested later went on record saying he “personally heard several officers engage in ‘gay-baiting,’” or verbally harassing the prisoners for being gay.¹⁸⁷

The following evening, using what *Impact* referred to as “a similar blitzkrieg technique,” the police raided a bar named Diane’s in the French Quarter, where they frisked a dozen women whom they placed up against the wall and proceeded to arrest them. One of the arrested women that evening reported that while the raid was taking place, she could hear one police officer say “we got the fruits...now we’re getting the dykes.” Bar patron Pat Dwyer would later claim that as she was thrown to the ground and being handcuffed, one of the arresting officers said “I hate fruits, dykes, and niggers.” While the twelve women arrested were all booked with obstructing the sidewalk, Dwyer was also charged with battery and resisting arrest.¹⁸⁸

The police sweep of gay bars continued into Sunday, when they returned to Jewel’s Tavern in the French Quarter and arrested another thirty-seven people. Justifying the weekend arrest of over one hundred homosexuals, 1st District police captain Ray Holman insisted it was due to “numerous complaints and repeated warnings after Vieux Carré residents and tourists were harassed and pushed around by people on sidewalks outside bars.”¹⁸⁹

¹⁸⁷ “Police Raids Net 101 Arrests,” *Impact*, May 1981, 1.

¹⁸⁸ *Ibid.*

¹⁸⁹ *Ibid.*

Whereas previous raids yielded little public outcry from the gay community, the response this time came fast and fierce, largely buttressed by the community's increased "political clout." On the Tuesday afternoon after the arrests, representatives from the gay community met with Police Superintendent Henry Morris to voice their outrage. Morris in turn promised that similar mass arrests would be discontinued and that the Internal Affairs Division would conduct an investigation. That evening, a rally took place at the gay-friendly St. Louis Community Center on Barracks St. in the French Quarter. Reportedly, approximately one thousand furious locals crammed into the rally to hear speakers debate the best course of action in response to the arrests. Ultimately, the rally concluded with the issuance of demands that included all charges be dropped and an investigation into the arrests take place. A defense fund was also created to support those arrested. On the streets people wore lavender ribbons in protest of the raids.¹⁹⁰

Combatting police harassment after the fact, however, was not enough to elicit lasting change. It was at this point that gay leaders began to work proactively to change antigay culture within the police department. Operationally, the police provided no specific protection to the homosexual community, and by extension were generally either indifferent toward gay residents' concerns or viewed them as a criminal entity. After decades of harassment at the hands of police, gay leaders knew change would only occur if they demanded it.

The first step in improving police-gay relations was to get Mayor Morial involved in the process. As Morial's first term progressed, the relationship between his administration and gay leaders became increasingly consequential for the local gay community. Soon after the April arrests and the meeting between Morris and representatives, Morial sent a letter to LAGPAC stating that there would be a full investigation into the incident. This investigation, if it was even

¹⁹⁰ "Police Raids Net 101 Arrests," *Impact*, May 1981, 1.

taking place, was going on for too long as far as LAGPAC was concerned, and on June 1, 1981, LAGPAC co-chairs Jean Carr and Roberts Batson wrote a letter to police Superintendent Henry Morris stating this fact. After further pushing the issue, eventually all charges were dropped against those who were arrested.¹⁹¹

The charges being dropped was viewed as a victory, but there were still avenues in which gay leaders felt they could make change within the police department. The first was the use of Field Interview Cards. The purpose of these cards, as described in the NOPD Operations Manual, was to “record data on persons interviewed on the street and in other public places” and “serve only as investigative aids, and the recording of data on the cards is intended for entry into computerized criminal intelligence records.” Officers would transcribe their interviews onto these cards, which cataloged personal information of those being interviewed, including name, date of birth, social security number, residence address, and license plate number. Gay activists believed that a side effect of the FICs, which were used during the raids, was that there would be a de facto database of gay citizens in New Orleans. A prospect which could make gay residents targets for arrest in the future.¹⁹²

After considerable prodding from gay leaders, the use of FICs was reduced in the French Quarter, where the possibility of gay people being targeted was quite high. Although complaints of police harassment continued and FICs were not discontinued altogether, this change in

¹⁹¹ “Accomplishments,” memo, Box K8, Folder “Gay Community,” Morial Records, NOPL; Jean Carr and Roberts Batson to Superintendent Henry Morris, June 1, 1981, Box K8, Folder “Gay Community,” Morial Records, CANOLA.

¹⁹² “Field Interview Cards (FIC),” New Orleans Police Department Operations Manual, Box K8, Folder “Gay Community,” Morial Records, CANOLA; “Meeting on November 11th with Gay Leaders,” City of New Orleans Inter-Office Memorandum, November 10, 1981, Box L5, Folder “Gay Community Problems 1981/1982,” Morial Records, CANOLA.

policy only transpired because of direct action from the gay community. This was just the first of several important accomplishments which transpired over the course of 1981.¹⁹³

Any accomplishments achieved were the result of improved the relationship between police, the Morial Administration, and the gay community. Despite denying the gay community was in fact being targeted by the police, Chief Morris continued to meet regularly with gay representatives about issues concerning the community. These meetings took place only because activists demanded them, and went a long way to improving communication between the groups.¹⁹⁴

One huge success of increased communication was the eventual inclusion of “sensitivity training on gay issues” into Police Academy classes. This training program was designed with considerable input from gay leaders, and included a general overview of how homosexuals have been stereotyped and made the targets of criminal activity while also outlining what police activity would be viewed as “unprofessional.” Importantly, these classes were conducted not by law enforcement, but by a gay social worker. The curriculum concludes with a rundown of “What Gays Hope From the Police Department,” including “Professional and courteous behavior,” “Fair and Equal treatment according to the law,” and “Cooperation between the Department and Gay community in reducing violent crime.” Tensions between the police and the gay community would continue, and sweeping arrests of homosexuals would continue to occur during the 1980s, but the importance of educating police recruits to not target gay people at least put them on notice that mass arrests of gay people would be scrutinized in the future.¹⁹⁵

¹⁹³ “Accomplishments,” memo, Box K8, Folder “Gay Community,” Morial Records, CANOLA.

¹⁹⁴ Jean Carr to Superintendent Henry Morris, September 21, 1981, Box K8, Folder “Gay Community,” Morial Records, CANOLA; Mary Helen Matlick & Corinne Barnwell to Mayor Morial, “Meeting on November 11th with Gay Leaders,” City of New Orleans Inter-Office Memorandum, November 10, 1981, Box L5, Folder “Gay Community Problems 1981/1982,” Morial Records, CANOLA.

¹⁹⁵ Henry M. Morris to Corinne Barnwell, October 21, 1981 Box L5, Folder “Gay Community Problems 1981/1982,” Morial Records, CANOLA; Mary Helen Matlick & Corinne Barnwell to Mayor Morial, “Meeting on

While gay leaders were making inroads into changing the antigay culture within the police department, they were also pushing the Morial administration to make changes within government. The first substantial step in this direction began in 1981, when LAGPAC began to lobby hard for Morial to issue an executive order banning the discrimination of Civil Service employees. There was regular correspondence between representatives from LAGPAC and the Human Resources division within the Morial administration which had served as the liaison between City Hall and the gay community. At first, this request was met with resistance or the weak promise to “continue to give the matter serious consideration.” The justification for the reluctant attitude the administration took toward a proposed executive order was that it would be essentially ineffective due to the fact that there were no state or federal protections of gays and lesbians which would provide protection in a discrimination lawsuit. What activists were able to get the mayor to produce was a policy statement “prohibiting discrimination on the basis of sexual orientation within his administration.”¹⁹⁶

A critical issue within gay activist circles since the establishment of the Citizens Committee Against Crime was the appointment of openly gay individuals to municipal positions. Morial corrected his initial omission of a gay representative by making seven appointments to such consequential committees as the Iberville/Cemeteries Committee, the French Quarter Task Force, and the New Orleans Neighborhood/Police Anti-Crime Committee.¹⁹⁷

November 11th with Gay Leaders,” City of New Orleans Inter-Office Memorandum, November 10, 1981, Box L5, Folder “Gay Community Problems 1981/1982,” Morial Records, CANOLA; “Sensitivity Training for the Police Academy on Issues Pertaining to the Gay Community,” training curriculum outline, Box L5, Folder “Gay Community Problems 1983/1984,” Morial Records, CANOLA.

¹⁹⁶ Alan Robinson to Arnold Broussard, December 14, 1981, Box K8, Folder “Gay Community,” Morial Records, CANOLA; Arnold A. Broussard to Alan Robinson, January 6, 1982, Box K8, Folder “Gay Community,” Morial Records, CANOLA; Copy of 1982 version of Louisiana State Constitution, art. 10, sec.8, Box K8, Folder “Gay Community,” Morial Records, CANOLA.

¹⁹⁷ “Accomplishments,” memo, Box K8, Folder “Gay Community,” Morial Records, NOPL; Friends of Mayor Morial campaign advertisement, memo, Box L5, Folder Folder “Gay Community Problems 1981/1982,” Morial Records, CANOLA.

Most of the successes would not have been achieved for the gay community if Morial had not kept his promise to keep a line of communication open between gay leaders and Community Services staff members within the Mayor's Division of Human Resources. This communication would not have yielded results if it were not for the tireless insistence of the New Orleans gay activist community. The gay community campaigned hard for Morial's 1982 reelection based largely on the achievements of 1981. In the March 1982 issue of *Impact*, a full-page ad was taken out by the gay led group "Friends of Mayor Morial" in which these major accomplishments were listed as reasons why gay New Orleans residents should reelect the mayor. Signed by major gay leaders, including Alan Robinson, the pro-Morial advertisement declared that the mayor "wants to continue to work with the gay community in addressing the important issues which affect gay people in New Orleans." Although there was gay support for Morial during his first campaign, the 1982 election introduced the gay community as a substantial voting block which could affect election results.¹⁹⁸

Anita Bryant had emboldened the New Orleans gay community to fight anti-gay discrimination, whether at the hands of police or the legislature. By the early 1980s, just a few years post-Bryant, the community had finally become radicalized in a manner largely achieved years earlier in other American cities with large gay populations. The contrast in gay solidarity before Bryant and after was stark, characterized by a new impetus on political change and the willingness of gay activists to be open about their own sexuality. While advances had been made in building bridges with the police department as well as local and state government, a new threat to gay Americans was emerging at the dawn of the 1980s.

¹⁹⁸ Friends of Mayor Morial campaign advertisement, memo, Box L5, Folder "Gay Community Problems 1981/1982," Morial Records, CANOLA.

Despite increased communication between the police department and the gay community, police led raids, harassment, and arrests similar to the 1981 “sidewalk arrests” continued to be a problem for gay men and lesbians. Of note was a May 26, 1983 incident at Jewel’s Tavern, a popular French Quarter bar among lesbians. According to one of the bar’s owners, a patrol car positioned itself next to the bar in an alley, and when the owner approached the officer manning the vehicle, he let them know that “we have plenty of paddy wagons and plenty of jail cells,” adding that he was “one of the first officers to bust this place and I’m not afraid to again.” This threat was a reference to the bar being raided twice over one weekend during 1981, in which several dozen Jewel’s Tavern patrons were arrested. Despite the fact that the officer claimed he was merely responding to an anonymous noise complaint and no arrests were made, it was clear to those who witnessed the incident that this interaction was meant to intimidate people from soliciting the bar. Capitalizing on the channels of communication which had recently been opened with the police, Robinson, representing LAGPAC, contacted the First District lieutenant, who promised to have future anonymous complaints directed specifically to him.¹⁹⁹

Robinson viewed the lieutenant’s prompt and helpful response as “indicative of the advantages improved relations/communications between the gay community and the police can lead to.” Also adding that “By working together we can head of [sic] problems before they get out of control.” Despite his compliments to police officials, the harassment of gay men and lesbians continued.²⁰⁰

Less than a month after the Jewel’s Tavern incident, another bar frequented by lesbians was targeted by police, this time yielding arrests identical to the “sidewalk arrests” of 1981. On

¹⁹⁹ Alan Robinson to Captain Dan McMullen, May 31, 1983, Box L5, Folder “Gay Community Problems 1983/1984,” Morial Records, CANOLA.

²⁰⁰ Ibid.

June 19, 1983, nine women were arrested in front of Charlene's Bar. Their story is illustrative of what it was like to be a person targeted for their homosexuality on the streets of New Orleans during the early 1980s.²⁰¹

Mayor Morial had declared the week of June 17-25, 1983 as Gay Pride Week in New Orleans. After visiting with friends, at about 8:30 p.m. on June 19, the Sunday of Gay Pride Week, Mary-jo Webster gave her friend a ride to pick up her car which parked in front of Charlene's Bar. After dropping off her friend, she went inside the bar to pick up a newspaper and, without buying a drink, then joined some friends sitting and talking on the hood of a car outside. Suddenly, a police car screeched to a halt in front of them and officers jumped out, according to her, "before the vehicle even came to a stop." Surprised by these officers rushing toward them, Mary-jo and her friend Barbara Simmers tried to escape into the bar, only to have Officer L. Evans slam it shut before they could enter, ordering them to return to the car and put their hands on the roof.²⁰²

For about half an hour they were left in the dark about why they were being frisked and told they could not leave. When one woman exclaimed that the officer "had no right to do this to us," he simply replied "I can do whatever I want. You have no rights, so shut up." When another woman tried to turn around from the hood of the car, she was told that if she removed her hands again she'd be "resisting arrest and I'll put your head through the telephone pole. I'd just as soon take you to Charity as to Central."²⁰³

²⁰¹ Alan Robinson to Captain Dan McMullen, May 31, 1983, Box L5, Folder "Gay Community Problems 1983/1984," Morial Records, CANOLA.

²⁰² Mary-jo Webster to Ernest Morial, July 15, 1983, Box L5, Folder "Gay Community Problems 1983/1984," Morial Records, CANOLA; Linda Bush to Ernest Morial, July 17, 1983, Box L5, Folder "Gay Community Problems 1983/1984," Morial Records, CANOLA.

²⁰³ Ibid.

Up to this point, Webster had assumed this was all a big mistake. Surely, someone had made called to police about something unrelated to her and they simply stopped the wrong people. It was when the officer slammed the woman's hand's back on the car while threatening to hurt her that that she realized she was going to be arrested. Eventually, nine women were handcuffed and put into the back of police cars. While sitting in one car, Webster noticed that the attending officers seemed embarrassed about the situation and were even arguing with Officer Evans about arresting her and her friends. In fact, there were only two officers were not courteous during the entire ordeal.²⁰⁴

One officer even implored the arresting officers "Don't do this. If you've got to do something, write citations, but don't take them downtown." Underscoring how far police/gay relations had come, he insisted "These people are very pro-police. Especially Charlene, we've always gotten along with her. The last thing we should do now is turn our supporters against us. Think this over before you do it." This was perhaps in response to the easing of tension between the police and the gay community as well as the fundraiser the community half a month earlier to buy bullet proof vests for police officers. Officer Evans' response to the pleading officer was short and to the point. "Ain't no thinking it over, they're going, ain't no thinking, they're going."²⁰⁵

As this scene unfolded outside the squad car, the four women inside the car were agreeing to not react if the officers tried to instigate them with taunts or humiliation. Speaking up in the face of verbal harassment, as they saw it, would not help their situation on the way to jail. Webster would later recall accomplishing this as "the most difficult part of the evening,"

²⁰⁴ Mary-jo Webster to Ernest Morial, July 15, 1983, Box L5, Folder "Gay Community Problems 1983/1984," Morial Records, CANOLA.

²⁰⁵ Ibid.; Linda Bush to Ernest Morial, July 17, 1983, Box L5, Folder "Gay Community Problems 1983/1984," Morial Records, CANOLA.

considering that on the way to Central Lockup she and her friends “were subjected to vile, suggestive and abusive language.” Compounding the misery of the evening was the Officer Evans’ boast that “he would bust Charlene’s every night if necessary, and the only reason he would stop would be if he were fired.”²⁰⁶

While waiting in the holding cell for four hours, Webster and the others continued to be harassed by the arresting officers, echoing the treatment of women arrested at the same bar two years prior. Nine women were arrested that night and were subjected to the same unjustified treatment as Webster. Several of them wrote letters to the mayor’s office, Webster among them, laying out in detail their mistreatment. While the night’s events may have echoed the trials of socializing in a gay bar during previous decades, the willingness to fight back was relatively new. The primary catalyst which allowed police officers to harass, intimidate, and unjustly incarcerate gay men and lesbians was the belief that they would rather deal with the harassment in lieu of fighting back in court and being outed as homosexual. The fear of one’s sexual orientation being discovered was clearly weakening in New Orleans during the 1980s, and victims of unjust persecution at the hands of the police were increasingly willing to fight back.²⁰⁷

Local gay leaders were apoplectic. In a letter to Morial, NORCO/LAGPAC co-chair Linda Bush pointed out that the mayor himself had proclaimed it Gay Pride Week in New Orleans the same week the nine women were arrested in front of Charlene’s Bar. She carefully lays out the fact that the gay community had recently raised \$2,600.00 to purchase bulletproof vests and that three days before the arrests the city council had unanimously passed a resolution stating, in part, that “the gay community in New Orleans is a vital group of men and women who

²⁰⁶ Mary-jo Webster to Ernest Morial, July 15, 1983, Box L5, Folder “Gay Community Problems 1983/1984,” Morial Records, CANOLA.

²⁰⁷ Ibid.

made many contributions to the life and fabric of this city...so that mutual ties of learning, cooperation and enrichment may continue and grow.”²⁰⁸

Bush made a point of listing the successful steps taken to improve the relationship between the gay community and city officials before stating that only three days after the city council passed the pro-gay resolution did two officers “violate the human rights of nine gay women by arresting them for obstructing a sidewalk...” Aside from this fact, Bush pointed out that “It would be virtually impossible for nine women linked arm-in-arm to obstruct a fifteen (15’) foot sidewalk even if it was their intention to do so.” Bush describes to the mayor her and other gay leaders’ meetings with local law enforcement that did not lead to a dropping of charges. With the trial date set for August 2, only twelve days from the date the letter was sent, time was of the essence.²⁰⁹

Two days after Bush’s letter was received, Morial wrote back each person who had written him about the incident, most of whom were among the women arrested, stating that he understood all the charges had been dropped and assured them “steps have been taken to see something like this does not happen again.”²¹⁰

By the summer of 1983, there were over 1,300 reported cases of Acquired Immunity Deficiency Syndrome (AIDS) in the United States, nearly 75% of which were gay men. The mood in New Orleans when knowledge of the disease was first reported in the early 1980s was that it was isolated to New York and west coast gay communities. By 1983, reported AIDS cases were popping up all over the country. Ignorance of the disease’s ability to spread was perhaps

²⁰⁸ Linda Bush to Ernest Morial, July 17, 1983, Box L5, Folder “Gay Community Problems 1983/1984,” Morial Records, CANOLA.

²⁰⁹ Ibid.

²¹⁰ Ernest M. Morial to Betty R. Caldwell, July 21, 1983, Linda Bush to Ernest Morial, July 17, 1983, Box L5, Folder “Gay Community Problems 1983/1984,” Morial Records, NOPL.

due to the fact that by May 1983, there had been only six reported cases of infections in Louisiana. Despite the low number, the national rate of exposure was cause to label AIDS an epidemic that needed to be addressed by both health and government entities.²¹¹

This concern led to the U.S. Conference of Mayors establishing a task force to address the issue of how the federal government can help cities dealing with the health crisis of AIDS. San Francisco Mayor Diane Feinstein created the task force and Mayor Morial served as vice chair. As both the chair and vice chair hailed from cities with large and political gay populations, taking the Conference lead was understandable.²¹²

Despite the relatively low number of reported AIDS cases in Louisiana, the devastating effect the disease had on the national gay population was undeniable. That said, a minimum of noticeable impact on the Louisiana population by mid-1983 compounded with a lack of reliable education concerning exposure risks, led to many people in the New Orleans gay community not taking the epidemic seriously. Or, at least, attempted to not think about how vulnerable the whole community was being located in a tourist hub of transient partygoers from around the world. Fortunately, the organizational groundwork necessary to provide AIDS resources to the gay community had been laid in the political mobilization of recent years. Those paying attention, many of whom had viewed Anita Bryant as a different yet tangible threat to friends and family, organized to combat the impending crisis.

The first line of attack was educating the public, which gay activists did in cooperation with health officials. Before 1983, mention of AIDS was scant in local publications, so the Crescent City Coalition began printing articles about the disease in the *Crescent City Courier* and *Impact*. The Delgado Clinic handed out fliers titled “Some Questions and Answers About

²¹¹ “AIDS-The Unanswerable Question,” *Impact*, May 1983, 1,3,6.

²¹² *Ibid.*

Gays and STD'S." Gay activists held panel discussions on AIDS issues at the First Unitarian Church and the local "Gay Information Center" had a hotline for local residents interested in AIDS information and physicians capable of diagnosing the disease.²¹³

Continuing the increasingly active role bars were taking in providing venues beneficial to the local gay community, the bar Menefee's provided a meeting space where representatives of the medical community could educate attendees and allow those concerned with the crisis to discuss tactics including fundraising, counseling services, and information hotlines.

LAGPAC began using its political clout to lobby for AIDS research funding while simultaneously galvanizing constituents to pressure congress to take action in the face of a serious lack of federal funding or research. U.S. Representatives from Louisiana Robert Livingston and Lindy Boggs were directly targeted for lobbying by gay lobbyists and eventually declared their support for further research funding.

While LAGPAC tackled the political side of combatting AIDS in Louisiana, but the need still existed for a New Orleans based group which could help AIDS victims and provide resources directly in the community. Lambda Legal Defense Fund, a New York based national defense fund which while not based in New Orleans, provided legal support with the help of local lawyers, but the New Orleans AIDS Task Force (NO/AIDS Task Force) became the first specifically New Orleans based organization to tackle the issue. Aside from plans to create a "speaker's bureau" to distribute educational material, The Task Force's initial purpose was twofold:

1. Assist persons with AIDS in obtaining medical care, food, shelter, legal and financial assistance, transportation, and placement in hospitals.

²¹³ "AIDS-The Unanswerable Question," *Impact*, May 1983, 1,3,6.; "AIDS Awareness," *Impact*, August 5, 1983, 3.

2. Facilitate scientific research into the cause(s), mode(s) of transmission, method(s) of diagnosis and cure(s) of AIDS.²¹⁴

One of the first local public demonstrations against AIDS was a candle light and march put on by the NO/AIDS Task Force, the purpose of which was to push for the allocation of funds to fight the disease while also speaking out against AIDS based discrimination in housing, employment, and health care. Around this time, local gay bars were starting to become more involved with fundraising for gay cause, as did the previously apolitical gay Mardi Gras krewes.²¹⁵

Despite this organizational push to combat AIDS and provide resources to locals who may be at risk, by 1984 the general attitude toward the disease among the New Orleans gay community was mixed. During the spring of 1984 *Impact* surveyed several local gay men and lesbians to get their views on how the AIDS crisis effected New Orleans. While everyone agreed the disease was a serious problem, most did not know of an organization which helped people living with AIDS, and only half had heard of the NO/AIDS Task Force, which after nearly half a year of existence was drawing scrutiny over its effectiveness.²¹⁶

There was also the typical derision for an allegedly apathetic gay population. Beth Hanlon, a local bartender, echoed a sentiment felt which had frustrated many in the community by stating that “There seems to be an attitude of ‘that’s a concern for the other guy.’ I am surprised that with the size of the gay community in New Orleans, more isn’t done.” She goes on to state that because AIDS is generally associated with gay men there was a lack of lesbian involvement. Likewise, Mike Zeringue, a local welder, claimed that “People should be interested

²¹⁴ “NO/AIDS Task Force: An Update,” *Impact*, July 15, 1983; John Pope, “Nurse Sues Over Firing in AIDS Case,” September 30, 1986.

²¹⁵ “National Candlelight Vigil Set,” *Impact*, May 1983, August 19, 1983; Smurfette, “Cruisin’ the Coast,” *Impact*, September 2 1983.

²¹⁶ “Local Gay Community Views on AIDS,” *Impact*, February 17, 1984.

in the problems of AIDS, but not enough are. It's a problem that should be looked into further."²¹⁷

Tom Saunders informed *Impact* that the brother of a friend of his had died of AIDS and how traumatic it was, adding that he had attended the candlelight vigil and a fundraiser at a local gay bar but "we don't stick together when it comes to something this major. An individual can only do so much." Steve Cahil, a local waiter, added to this sentiment by claiming that "Nationwide, yes, things are being done, but locally, I am not that well informed."²¹⁸

On the surface, these statements may be read to reveal how minimal the importance of AIDS was to the gay community in 1984, but in fact it does the opposite. The interviewees do not express apathy over the disease, but rather are merely overwhelmed by it, perhaps giving voice to a community that understands the severity of AIDS, but have no clue how to combat such an existential threat. Saunders dismay at how "An individual can only do so much" underscores the need for leadership within the community considering the gay community was not just fighting the disease, but an indifferent infrastructure designed to marginalize the community.²¹⁹

The community's ability to combat these dual challenges accelerated during the mid-1980s. As the AIDS crisis grew, stigmatization of homosexuals expanded as well, especially considering the myths and stereotypes which labeled it as a "gay disease." Also, despite communication increasing between the police department and the gay community, mass arrests similar to the 1981 "sidewalk arrests" continued to be a problem for gay men and lesbians. Particularly of note was the May 26, 1983 raid of Jewel's Tavern, a popular French Quarter bar

²¹⁷ "Local Gay Community Views on AIDS," *Impact*, February 17, 1984.

²¹⁸ Ibid.

²¹⁹ "1983-the Year Many People Would Like to Forget," *Impact*, December 16, 1983.

among lesbians and the site of two raids in one weekend in 1981. According to witnesses, one of the officers on the premises stated “I was one of the first officers to bust this place and I’m not afraid to again.”²²⁰

The New Orleans gay community had experienced being the targets of renovation campaigns meant to clean up the French Quarter and surrounding area of unwanted elements before. The experienced it again as New Orleans planned to celebrate the hundredth anniversary of the 1884 World Cotton Centennial. After effective change had been made to combat police harassment at the dawn of the 1980s, the 1984 Louisiana World Exposition (commonly referred to as the World’s Fair), was a catalyst for renovating the downtown area and clearing out unwanted individuals who may threaten a possible boon in tourism.²²¹

On May 18, 1983, Orleans Parish District Attorney Harry Connick gave a very revealing interview with *Impact* addressing the concerns of the local gay community. The interviewer for *Impact* asked Connick about the continued use of police raids in neighborhoods densely populated by gay individuals. Connick seemed almost confused by the question, insisting that his people “don’t concentrate, say, on one block as opposed to another block” and that “It’s not designed to come down on any group or person at all.” Connick summed up the position of his office by insisting:

It’s not a question whether a person is a homosexual or not. It’s a question of whether somebody is violating the rights of other people who have the right to have freedom of movement in the French Quarter and not to be accosted by someone propositioning them to commit some crime of a sexual nature. That’s what it boils down to.²²²

²²⁰ Alan Robinson to Captain Dan McMullen, May 31, 1983, Linda Bush to Ernest Morial, July 17, 1983, Box L5, Folder “Gay Community Problems 1983/1984,” Morial Records, CANOLA.

²²¹ “1984: New Orleans Plays Host to the World’s Fair,” *The Times-Picayune*, December 27, 2011, accessed May 10, 2017, http://www.nola.com/175years/index.ssf/2011/12/1984_new_orleans_plays_host_to.html.

²²² Roy Letson, “Public Sex is Still Illegal, According to District Attorney,” *Impact*, May 18, 1984.

Connick's statements underscored priorities for the oncoming World's Fair. For the New Orleans gay community, this was an omen that they would once again become the collateral damage of another revitalization project. The first signal of the crackdown came on the evening of May 29, in the form of a raid on a New Orleans bath house in which eighteen men were arrested and charged with either committing acts obscenity or crimes against nature.²²³

Two days after the raid, LAGPAC members Alan Robinson and Richard Devlin once again wrote a letter expressing their outrage over what appeared to be a "clean-up" campaign to "remove certain visible aspects of the gay community." Referencing Connick's interview with *Impact* in which he implies that he had no regrets about police procedures in the French Quarter and in fact the police were operating under his orders, Robinson and Devlin read his remarks to mean that the District Attorney was making an endorsement "entirely contradictory to the support and respect of all people's rights evident in the rest of your administration."²²⁴

As the letter concludes, the writers lament how despite the gay community's strong support for Morial's second term, it was "increasingly difficult to understand these actions by the NOPD." These almost benign words reveal that gay leaders were coming to realize that despite entreaties from City Hall and the willingness of gay people to fight back openly, in the minds of people like District Attorney Connick, Superintendent Morris, and the arresting officers at the raided bath house, homosexuals were by their very existence criminals. The crime against nature ordinance which several gay men were arrested for in the bath house raid was nothing more than a law which banned sodomy, and by extension gay sex. It was dawning on the gay activist community at this point that the next step toward achieving equality was to once and for all repeal the anti-sodomy law which made every homosexual in New Orleans a criminal.

²²³ Roy Letson, "Public Sex is Still Illegal, According to District Attorney," *Impact*, May 18, 1984.

²²⁴ Roy Letson, "Bath House Raided on "Obscenity" Charges," *Impact*, June 1, 1984.

7 BETWEEN BOWERS AND LAWRENCE

The New Orleans gay community became galvanized during the late 1970s and 1980s after decades of relegating any semblance of activism to the Mardi Gras season. During this period, there was an upsurge in local gay organizations involved with AIDS causes, politics, and tourism. Despite progress, antiquated anti-sodomy laws still regulated homosexuality throughout Louisiana. La Nouvelle-Orleans, as it was originally known, established laws regulating sexuality from the moment of its founding by the French in 1718. The French Mississippi Company ran La Nouvelle-Orleans under the direction of Jean Baptiste Le Moyne de Bienville, who knew that a geographically ideal port city in a French colony would become attractive to privateers, prostitutes, treasure hunters, and others living in the margins of civilized society.²²⁵ Nearly a hundred years cementing its reputation as a haven for scoundrels and vagabonds, Louisiana passed a “crimes against nature” law in 1805 in order to reign in rampant prostitution and vice. The statute particularly outlawed acts of bestiality as well as sodomy. During the two centuries which followed, the city survived being sold to another country, occupation by the Union army, and innumerable political scandals and natural disasters. The crime against nature statute also survived these historical twists and turns essentially intact.

The United States Supreme Court declared in 1986 that states had the right to pass sodomy laws. This ruling in the case known as *Bowers v. Hardwick* awakened gay communities in the handful of states that still had sodomy laws on the books to the fact that their mere existence made them criminals. The *Bowers* decision unleashed a tidal wave of activism in New Orleans, galvanizing local gay activists to unite and finally fight an archaic and discriminatory law.

²²⁵ Herbert Asbury, *The French Quarter: An Informal History of the New Orleans Underworld* (New York: Knopf, 1936), 3-46.

The event which led to the *Bowers* decision was typical for many gays and lesbians in the Deep South. In the fall of 1982, police officers entered Michael Hardwick's Atlanta, Georgia home for the sole purpose of serving him with an arrest warrant. Hardwick had been cited for public intoxication after being caught disposing of a beer can along Atlanta's Monroe Ave., but had not shown up to court. Inside Hardwick's home the officers found Hardwick engaged in a sexual act with another man. After an initial altercation, the officers arrested him and his companion for sodomy. Though Atlanta district attorney's office chose not to bring Hardwick's case to the grand jury, Hardwick still sued Michael Bowers, the Attorney General of Georgia. Bowers argued that the sodomy law was unconstitutional and could be used to deny his civil rights in the future. Four years later, Bowers got his day in federal court. In the *Bowers v. Hardwick* 5-4 majority opinion in favor of Bowers, Justice Byron White declared that the presumed right to engage in sodomy was "facetious."²²⁶

Within the context of the AIDS paranoia and subsequent moral panic sweeping America during the 1980s, the *Bowers* case personified the attitudes of a nation struggling with issues of sex, health, and morality. The Court's decision signaled to states that the criminalization of homosexual sex, and by extension homosexuality itself, was sanctioned by the federal government. The fallout from the *Bowers* decision was swift and tenacious, radicalizing many gays and lesbians in states which still regulated sexual activity between consenting adults as well as inspiring them to mobilize efforts to have the laws finally stricken forever.²²⁷

By the end of the twentieth century, Louisiana still had on its books a law passed during the Jeffersonian Era outlawing sodomy. One of the greatest hurdles remaining for New Orleans gays and lesbians was the state's allegiance to a law criminalizing sodomy. Sandwiched between

²²⁶ George Chauncey, *Why Marriage?*, 43-44.

²²⁷ *Bowers v. Hardwick*, 478 U.S. 186 (1986).

the United States Supreme Court's 1986 ruling upholding anti-sodomy laws and the same Court's 2003 decision invalidating the same law, Louisiana's sixteen-year fight against the state's "crimes against nature" law created heroes and villains in New Orleans. During a long, sometimes demoralizing struggle, the local gay community found new allies in legislators, journalists, and the straight community. The United States Supreme Court 2003 decision in the *Lawrence v. Texas* case invalidated all state sodomy laws, but during the intervening struggle the New Orleans gay community's supporters dramatically increased. The state's legal struggle was personified by the experiences of attorney John D. Rawls and his client, Johnny L. Baxley, who spent over a decade fighting Baxley's sodomy conviction. Though the Lawrence decision granted homosexuals legal status never before possible, the legacy of discrimination in Louisiana remained.

When the *Bowers* decision was announced, Louisiana was one of twenty-four states plus the District of Columbia with sodomy bans. Arrests for committing crimes against nature were primarily made in New Orleans, whose gay population had been dealing with police raids and the threat of incarceration for decades. As a result, New Orleans was also the birthplace of the Louisiana struggle to overturn the state's sodomy ban.²²⁸

Leading the crusade was a New Orleans attorney named John D. Rawls. Rawls was a gay man and civil rights attorney who helped establish The Louisiana Electorate of Gays and Lesbians (LEGAL) and worked with The Louisiana Lesbian and Gay Political Action Caucus (LAGPAC). Any of the hardworking local activists from these organizations is worthy of examination, having lived fascinating lives and whose efforts were essential in the New Orleans gay rights struggle. Rawls, however, became the face of the fifteen-year legal struggle against

²²⁸ *Bowers v. Hardwick*, 478 U.S. 186 (1986).

the state's sodomy ban but always pushing to permanently end the discrimination of the New Orleans gay community. There were many actors whose impact was vital to the city's gay rights movement, yet Rawls was essential. Without his involvement, this seventeen-year struggle would have played out very differently. As a consequence of his personal story vis-à-vis this legal battle must be told if one is to develop a deeper understanding of New Orleans gay life at the end of the twentieth century.

As a closeted young man, the events of Rawls' life unfolded in a manner one might expect of one aspiring to become a masculine Southern archetype. Born into a prominent family in Florida, when Rawls was a teenager he received a National Merit Scholarship to attend Williams College, a private liberal arts school in Massachusetts. While in New England he joined the army and earned his combat bona fides as a young man during a two-year army stint during the Vietnam War. He left the army with the rank of captain, having earned both the Vietnamese Combat Service Medal and the Honor Service Medal for his war experience. After his army experience, Rawls attempted to live the traditional heterosexual life expected of him. He attended law school at Florida State University, where he followed up his success in the military by making Law Review. After achieving academic success at FSU, he started a successful practice in hometown of Jacksonville. After several years weathering war and academia, John Rawls had finally returned home.²²⁹

Rawls' success at life only continued, yet he still felt unfulfilled. He tried to live a stereotypical normal family existence, just as so many closeted gay men of his generation had before him. During this new chapter in Jacksonville, Rawls became both a husband and active member of the Republican Party. After nearly a decade building a successful practice, however,

²²⁹ Roberts Batson, "Honored Citizen: John D. Rawls," *Impact*, August 29, 1997, MSS 357, Folder 13, Earl K. Long Library Special Collections, University of New Orleans, New Orleans, LA, (hereafter cited as EKLSC).

he was left with two failed marriages and political beliefs which were beginning to wane. He was a man who largely defined himself by his legal practice, and his practice grew as his personal life fractured. He had to be honest with himself that no amount of legal success could make his life whole. Though Rawls was not one to shy away from a challenge, he now found himself at a difficult crossroad in his life. Reflecting on the crossroads he was now facing, Rawls acknowledges that “giving up being a lawyer was very difficult.” Making one of the most difficult choices of his life, he decided that if he was going to live an authentic life he would have to leave the life he knew behind him.²³⁰

In reality, he actually had no choice. It was obvious to him that if he were to live his life openly as a gay man he could not continue to live and work in Jacksonville. If the community that respected and believed they knew him as a person found out he was a homosexual, Rawls was certain his career would be dead. So at the age of forty he took a leap of faith. Though the choice to leave was a difficult one, there was no other option for a final destination. There was no doubt to this son of Florida that “When you’re a southerner, and you find out you’re gay, you move to New Orleans.” With his practice shut down and bags in hand, Rawls took a leap of faith into the unknown.²³¹

After moving to New Orleans in 1985, his instincts were quickly validated. He witnessed how New Orleans was a city whose residents did not have to choose their profession over their sexuality. Seeing openly gay successful lawyers for the first time was a revelation for a man who assumed he would have to give up the legal profession forever. Rawls knew he had made the

²³⁰ John D. Rawls, interview by author, February 2015; *Impact*, August 29, 1997.

²³¹ *Impact*, August 29, 1997.

right choice, years later admitting that there was “no way I could consider being closeted again.”²³²

Rawls left the business he had started upon his arrival in New Orleans and opened up a new legal practice, passionately focusing on civil rights cases involving race and sexuality. A massive element of Rawls’ professional appeal in both Jacksonville and New Orleans was as much due to the man’s personality as it was his legal acumen. At first glance, Rawls may have come off as anything but showy. A middle-aged Caucasian gentleman with thinning white hair who wore a traditional conservative suit, Rawls’ appearance did not scream flashy trial lawyer. Yet when he argued a case in a courtroom, he was the consummate showman and the perfect face of the major legal battle waged by the New Orleans gay community in the 1990s. Drawing from an oratory style reminiscent of Clarence Darrow, Rawls directed arguments in court as much toward the spectators as he did the judges. Though his passion was certainly fueled by his convictions, he knew that his causes had to be argued in the court of public opinion as well. A tactic he often employed was intentionally including testimony or evidence he was certain would be picked up by the local media, cultivating a recognizable persona as a legal voice for the gay community in the city.²³³

The arrest of Johnny L. Baxley in the summer of 1992 set into motion a chain of events which would come to define the New Orleans gay struggle leading into the turn of the century. The New Orleans Police Department had chosen June 4th as one of several days in which to operate a prostitution sting throughout the French Quarter. Beginning the sting by slowly walking down Dauphine St., one block parallel to Bourbon St., undercover female police officers arrested passersby who propositioned them for sex. When the slowly crawling operation finally

²³² *Impact*, August 29, 1997.

²³³ John D. Rawls, interview by author, February 2015.

reached St. Ann St., the female police officers were immediately replaced with male officers. The intersection of St. Ann and Bourbon St. was known as the nexus of the most popular gay bars in the French Quarter, leading the NOPD to conclude that men had to be used if arrests were to be made. Baxley happened to be one of the unfortunate souls that day who fell victim to the sting, but the only one with the courage to fight back.²³⁴

Though accounts of how the proposition transpired are debated, it is undeniable that Johnny L. Baxley, a forty-nine-year old homosexual resident of New Orleans at this time, agreed to have sex with an undercover police officer. According to the arresting officer, Baxley was walking down a predominantly gay French Quarter street when he saw the officer sitting on a residential front step and approached him. The arrest report contends the officer was offered twenty dollars if he allowed Baxley to perform fellatio on him. Though the officer was not wearing a recording device at the time, he stood up from his sitting position on the stoop in order to signal hidden backup. Almost immediately Baxley was arrested and charged with offering money in exchange for performing an illegal sex act. As it dawned on him that he was going to jail Baxley pleaded with the officers to believe his account of the situation. He vociferously denied offering the officer money, instead insisting that he proposed nothing more than consensual fellatio. Despite his insistence, Baxley was booked with violating LSA-R.S. 14:89, the specific section of the crime against nature statute which had forbidden sodomy.²³⁵

A couple dozen men were arrested for soliciting sodomy that night out of the eighty-five men arrested during several stings across May and June, but Johnny Baxley was the only one who decided to fight the charge. By the time of Baxley's arrest, Rawls had only been living in New Orleans for eight years, but had built a reputation as a tenacious advocate of gay and civil

²³⁴ John D. Rawls, interview by author, February 2015.

²³⁵ *State v. Baxley*, 633 So. 2d 142 (La. 1994); *Times-Picayune*, January 9, 1993, MSS 357, Folder 22, EKLSC.

rights causes. Baxley sought Rawls out himself, the first salvo in a relationship that launched a thousand court briefs.²³⁶

Rawls immediately liked Johnny Baxley, who told the attorney a very familiar story. Baxley insisted he initiated the conversation with the stranger only to complain about the humid weather. Even if he was telling the truth about his motive, the French Quarter was still a neighborhood where casual sexual encounters were not uncommon for both gay and straight visitors. Comprised of strip clubs, gay bars, and daiquiri shops sandwiched between family-friendly dining, luxury hotels, and Revolutionary Era churches, the French Quarter fostered an environment in which vice appeared to be tolerated. This unique atmosphere may have influenced Baxley's quick pivot from the weather to oral sex. Despite his admission that fellatio was offered, Baxley insisted to Rawls that he never offered the undercover officer money in exchange. As he sat in the back seat of the squad car, his alleged mistreatment continued. He remembered vividly how officers taunted him for being gay and accused him of liking to "take it up the ass." Though tales of the NOPD targeting homosexuals for harassment was hardly a new allegation, because no one had ever challenged a sodomy charge in court, the veracity of such claims remained unsubstantiated.²³⁷

NOPD vice sweeps of gay bars and cruising sites had existed for decades, their existence perpetuated unchallenged due to the public shame which accompanied the charge. The social stigma associated with being publicly revealed as homosexual was enough for those accused of the crime to accept any charge that may soften the charge's fallout, regardless of their guilt. *The Times-Picayune*, like most local newspapers, published citywide arrest reports. For many who

²³⁶ *Times-Picayune*, January 9, 1993, MSS 357, Folder 22, EKLSC; John D. Rawls, interview by author, February 2015.

²³⁷ *Times-Picayune*, January 9, 1993, MSS 357, Folder 22, EKLSC; John D. Rawls, interview by author, February 2015; *State v. Baxley*, 633 So. 2d 142 (La. 1994).

risked incarceration by visiting gay bars in New Orleans, the threat of having their name listed in morning newspaper was a more frightening threat than the arrest itself. Though the newspaper never used the word “gay” or “homosexual” when listing the reasons for the arrests, they would include the names of the gay bars in which the arrests took place next to the accused name. A straight man or woman who may have never even entered a gay bar in New Orleans knew immediately why the person was arrested solely by what bar they were patronizing. Soliciting sodomy was such a provocative charge that the paper could not even print it, instead using the names of gay bars as code for an act which must not be discussed. The fear of others reading about one’s arrest in a gay bar went far deeper than the anxiety associated with being outed to your family and friends. Having your name in the paper could literally destroy your means of livelihood. Before ordinances were passed banning discrimination in the workplace based on sexual orientation, those who dared enter New Orleans gay bars knew they risked losing their jobs after their employers read their names in the daily paper. The smear campaign which accompanied an arrest meant that New Orleans gay men and women desiring nothing more than a to have a brief moment of communion with like-minded individuals were literally risking their lives every time they ordered a cocktail.

The fear of social fallout from an arrest largely kept police harassment unchallenged. Rawls knew it would only take the cooperation of one brave gay individual to get the crime against nature law challenged in the Louisiana Supreme Court. Baxley became Rawls’ hero, and with the incalculable assistance from many other activists, lawyers, judges, politicians, and citizens, the two embarked on a decade long game of judicial chutes and ladders which tested their patience, fortitude, and even health.²³⁸

²³⁸ John D. Rawls, interview by author, February 2015.

The twisted genius behind the sodomy statute's effectiveness was that it never actually had to be used to achieve its desired result. The threat of being charged with breaking such a shameful law compounded with shockingly harsh resulting penalties was enough to make both men and women agree to lesser charges. This threat was a weapon the police could use to essentially get gay men to agree "to anything." Louisiana crime against nature laws had evolved by the 1990s to essentially ban three acts: the sexual abuse of an animal, soliciting prostitution, and sodomy. Those who broke these laws were committing a felony punishable up to ten years in prison. Rawls knew the stories of prostitutes who claimed arresting officers lied on the arrest report by stating the prostitute had specifically offered the officer oral sex. The state's version of the law defined sodomy as both oral and anal sex, regardless of solicitation. This charge was far scarier than being charged with solicitation vaginal intercourse. According to the separate law which also prohibited prostitution, soliciting vaginal sex was only a misdemeanor punishable up to six months in prison. Rawls believed that just as female prostitutes often took the lesser misdemeanor charge when faced with a possible felony, gay men charged under the law instinctively pled to anything the police would offer them in order to lessen the punishment. LSA-R.S. 14:89 defined the felony of "crimes against nature" as "(1) The unnatural carnal copulation by a human being with another of the same sex or opposite sex or with an animal..."²³⁹

The conflation of human-animal sex and homosexual sex was enough for many in the local gay community to believe LSA-R.S. 14:89 targeted them specifically. Judges and politicians insisted this was impossible because the law's language never mentioned homosexuality in its description of what constitutes a crime against nature: "Emission is not

²³⁹ John D. Rawls, interview by author, February 2015.

necessary, and, when committed by a human being with another, the use of the genital organ of one of the offenders of whatever sex is sufficient to constitute the crime.²⁴⁰

Although *Bowers v. Texas* was the most well-known sodomy adjudicated by the United States Supreme Court, its precedent began calcifying as similar cases failed to sway the court. Not long before Baxley's arrest, the Supreme Court had an opportunity to hear another sodomy case from Texas known as *Baker v. Wade*. The Justices refused to even hear the case, solidifying Rawls' belief that trying Baxley's case in federal court was "impossible."²⁴¹ The fact that sodomy had never been a federal crime made a federal stage unnecessary for victory. Rawls' primary allegiance was to his client, and he would stop at nothing to exonerate Baxley. Both men knew, however, that they were fighting a larger battle, and Johnny Baxley was represented every gay man in Louisiana whose very presence made them criminals. Rawls knew it would take years, but he could argue Baxley's case in front of the Louisiana Supreme Court one day, he believed in his could he could get the sodomy statute overturned.²⁴²

Rawls was not the obvious choice for spearheading the crusade against the state's sodomy law, despite having a reputation as a gay lawyer who championed civil rights cases. When Baxley first approached him, he had been practicing law for nearly two decades. Rawls immediately took on Baxley's cause even though he did not see the point in sodomy cases. Quite simply, he considered them "distasteful" and preferred to focus his legal attention elsewhere. He also knew that if similar cases were argued like *Bowers v. Hardwick*, progress toward abolishing sodomy laws was impossible. Rawls lamented how lawyers defending gay causes never schooled the court in what he called "Gay 101."²⁴³

²⁴⁰ John D. Rawls, interview by author, February 2015.

²⁴¹ Ibid.

²⁴² Ibid.

²⁴³ Ibid.

According to Rawls, “Gay people assume everybody knows what gay people know.” Rawls believed lawyers who had argued gay rights cases were not addressing necessary points if success was ever going to be achieved. Rawls’ legal philosophy dictated that a lawyer defending gay-related cases must begin their argument by educating the presiding judges in what it meant to be a gay man or lesbian living in America. Rawls’ believed that most judges’ decisions had been guided by archaic stereotypes and assumptions about gay life. Of course Bowers was going to be lost when the Supreme Court Justices viewed homosexuals as exotic and foreign. However, simply plotting a bold, new legal argument did not fill the attorney with confidence. “Gay 101” was going to be a hard sell in Louisiana. Aside from getting past staunchly conservative judge’s misconceptions about homosexuality, he had to make them understand that human beings would suffer as long as the law existed. While this challenge alone was Herculean enough for his team, it was compounded by the bizarrely unique and outdated social dynamics which defined Louisiana politics.²⁴⁴

Rawls personally knew most of the judges who would preside over Baxley’s case, and considered many of them to be friends. Though often frustrated by their carefully contrived courtroom rhetoric, he understood that judges in New Orleans were navigating a political world which prioritized personal relationships and political patronage long before the law. He was certain that whenever possible they would not render any controversial judgments. A Louisiana judge’s survival on the bench was not only based on their reputation in the courtroom. Rawls believed many feared rendering judgments which might get them ostracized from the “establishment” and uninvited from the heavily exclusive Mardi Gras balls. Every carnival season witnessed the city’s resurrection of provincial systems of class privilege and family

²⁴⁴ John D. Rawls, interview by author, February 2015.

prestige. This dusty, withered specter of a lusted after antebellum fantasy refused to die, and allegiance was the currency which often carried favor. This particular cultural world in which New Orleans operated was also the world with which Rawls was waging war.²⁴⁵

Despite the improbability of winning over a politically conservative, status-minded judiciary, Rawls was certain he could appeal to the judges' sense of reason. Rawls knew many of the judges personally and believed that deep down most of them sided with the cause of gay rights. Inspiring his confidence was the belief that the judges presiding at the Municipal Courthouse on the corner of Tulane Avenue and South Broad Street hated the crime against nature statute. Despite whatever political and religious convictions the judges held, Rawls was certain they agreed with him that the statute was "bullshit" which crowded their dockets. He was banking on their unspoken desire to dispose of the sodomy law. Even if Rawls' assertions were correct, he accepted the fact that chipping away at the court's consensus on the statute would take a substantial amount of patience from himself, Baxley, LEGAL, and the state's gay community.²⁴⁶

When Rawls first brought Baxley to trial in 1994, success came early in the form of a presiding judge sensitive to issues of discrimination. Judge Calvin Johnson was not a stranger to civil rights struggles. The son of a father who worked at a lumber mill and a mother who worked as a housekeeper, Judge Johnson spent much of his youth being active in the civil rights movement. As a teenager, he took part in a demonstration which led to his arrest and conviction. Moving beyond his blue collar roots, Johnson graduated from Loyola Law School in New Orleans, where he would eventually spend most of his career teaching. Johnson became the first African-American elected to a state court in Louisiana without initially being appointed. After

²⁴⁵ John D. Rawls, interview by author, February 2015.

²⁴⁶ Ibid.

two years presiding over the Orleans Parish Criminal District Court, Johnson offered Rawls' team a desperately needed friendly ear.²⁴⁷

Clearly, Rawls had found one of those judges at Tulane and Broad who felt sodomy cases were "bullshit." Judge Johnson concluded that the right to privacy protected under Louisiana's state constitution had been violated in Baxley's arrest. Besides exonerating Baxley, the judge ruled the crime against nature statute unconstitutional and therefore invalid. To Rawls dismay, however, was the judge's decision not to base his ruling on gay discrimination. Despite a lack of a ruling on the gay question, this ruling was definitely a victory. However, lest Rawls, Baxley, and Louisiana's entire gay population rejoice prematurely, Rawls knew this victory had a short shelf life. A judge's ruling against the state always led to an immediate appeal, and there was no guarantee the next court would be as reasonable.²⁴⁸

When Rawls' LEGAL team entered the French Quarter location of the Fourth Circuit Court of Appeals in February 1994, they were standing only a few blocks away from where Baxley had been arrested. Unfortunately for the defendant, however, the appeals court did not even want to hear his case. Before the defense was even able to raise the specter of their argument, the appeals court decided Baxley did not have standing to challenge the law. Though Judge Johnson had both overturned Baxley's conviction as well as ruling the sodomy statute unconstitutional, the appeals court would not even rule on the merits of the case. As far as the judges were concerned, Baxley could not prove that the law in its entirety caused him harm,

²⁴⁷ Gwenn Filosa, "Orleans Judge Retires Today." *The Times-Picayune*, January 2, 2008; "Judge Calvin Johnson (ret) Biography." <http://modiphy.dnsconnect.net/~nolaipm/main/uploads/File/MEducation/bio%20calvin%20johnson.pdf> (Accessed February 2015).

²⁴⁸ *State v. Baxley*, 633 So. 2d 142 (La. 2/28/94); John D. Rawls, interview by author, February 2015.

therefore “it was unnecessary to determine” whether LSA-R.S. 14:81(A)(1) was even constitutional.²⁴⁹

Pinning their decision on the fact that the crime against nature statute included two parts, the appeals court ruled that Baxley could not challenge the section of the law he was not charged with. According to the majority opinion claimed both parts of the law were inseparable. Because Baxley not commit the physical act of sodomy, the first party of the law could not be challenged. Though Judge Johnson’s decision was reversed, the fight to destroy a law criminalizing Louisiana’s gay population was far from over.²⁵⁰

After the failure of the appeals ruling, Baxley’s team had only one more court in which to make their stand. Rawls had never argued a case before the Supreme Court before, but he had been working toward that day for years. Though the experience was brand new, the outcome solidified a fact Rawls knew for years. One of the major goals of teaching “Gay 101” was proving Rawls’ belief that American citizens lived under “two constitutions”: one for homosexuals and one for everyone else. As far as he was concerned, it was obvious that American history supported his argument. In his mind, women and African Americans were historically governed under a separate constitution apart from all the rights and privileges afforded the rest of the nation’s population. The twentieth century experience of both women and African Americans was defined as a century of severe challenges yet also great accomplishment. For Rawls, the end of the century marked the gay community’s moment of opportunity to follow those movements which came before. LEGALS’s sole purpose was to finally erase the constitution they suffered under.

²⁴⁹ *State v. Baxley*, 633 So. 2d 142 (La. 2/28/94).

²⁵⁰ *Ibid.*

Rawls was also steadfast in his belief that the adjudicators of constitutional law in Louisiana agreed with him, however surreptitiously. He considered many of the judges he tried cases against as good friends, however covert their support of the New Orleans gay community. No matter how intimate his relationship was with the judges, he was frustrated but not surprised with their rulings.²⁵¹

During the early 1990s, the political dogma of social conservatism had not yet taken control of the Deep South in local elections. Louisiana judges were not necessarily ideologically and morally opposed to homosexuality. Rawls' belief that most judges hated the sodomy statute steadied his resolve for what he knew would be a long fight.²⁵²

After the court of appeals fiasco, Rawls and the LEGAL team became unexpectedly involved with a case which had possible monumental implications for their mission. Though the New Orleans gay community felt personally targeted by the crime against nature statute, the counter-narrative that all Louisiana residents were to the laws, despite orientation, still remained. As Baxley's case continued its Sisyphean journey through the Louisiana court system, a sexual encounter between a straight man and woman introduced an unforeseen second challenge to the court.²⁵³

On September 24, 1995, Mitchell Smith was enjoying a drink at Brewski's Lounge in Chalmette, Louisiana. After seeing a woman in the bar who happened to be drinking alone, Smith approached her and struck up a conversation. Though Chalmette was technically a suburb of New Orleans, it was a quick drive into the city. After an initial cocktail together, Smith's companion expressed interest in spending more time together and agreed to join him for another

²⁵¹ John D. Rawls, interview by author, February 2015.

²⁵² Ibid.; *State v. Baxley*, 633 So. 2d 142 (La. 2/28/94).

²⁵³ John Pope, "Breaking Sodomy law the norm, foes say," *The Times-Picayune*, April 12, 2000, Mss 357, Folder 56, EKLSC.

drink at Gabby's Bar in New Orleans East. What transpired between the two that night ended with Smith being accused of rape and the state getting a second challenge to its' sodomy law.²⁵⁴

According to the alleged victim, she accompanied "Mitch" to Gabby's, but quickly became ill as her epilepsy medication began to react with the alcohol she had been consuming. It was then that Smith told the alleged victim that he would take her to a motel to "rest." Claiming she initially insisted Smith take her home, she told the NOPD sex crimes unit that her reluctant agreement to Smith's request came with the caveat that nothing physical would happen. The following day she told the sex crimes unit that Smith forced her to have sex, despite her cries of rape.²⁵⁵

After Mitchell Smith was initially charged, he recounted a very different story to the police. He countered her accusation that accompanying him to the motel was contingent on a prohibition of intimacy with the claim that they took time to "fool around" in the car first. Smith was resolute in his insistence that not only did he never rape his accuser, but also that the two never even had sex. On the contrary, he claimed they both merely performed oral sex on each other before calling it a night.²⁵⁶

Smith's own defense was his eventual undoing. The state covered their prosecutorial bases by charging him with both rape and sodomy, having already admitted to the latter. Though the court ruled in Smith's favor on the rape charge, his admission to performing oral sex was enough to get him convicted of committing a crime against nature. Coincidentally, the police never investigated Smith's allegation that his accuser performed oral sex on him, supporting the argument that the sodomy statute was never actually meant to be used against heterosexuals.²⁵⁷

²⁵⁴ *Supreme Court of Louisiana v. Mitchell Smith*, 99-KA-0606 (2000).

²⁵⁵ *Ibid.*

²⁵⁶ *Ibid.*

²⁵⁷ *Ibid.*

After a bench trial, Criminal Court Judge Patrick Quinlan sentenced Smith to three suspended years in prison and two years of probation. Perhaps even more damaging in Smith's eyes, he was now considered a criminal for engaging in consensual sex. Rawls immediately believed Judge Quinlan's ruling was a "horrible decision," going so far as to actually ask the judge what his motivations were. Quinlan told him that despite appearances, the basis for his ruling was his attempt to support the gay cause. A few years after the ruling, Pat Quinlan lost a battle with cancer. Several years after his death, Rawls opened up about their private meeting, contending the judge admitted to making the Smith decision in order give opponents of the sodomy statute another chance to have it invalidated by the Supreme Court.²⁵⁸

Though it was clear Quinlan was one of the judges Rawls believed hated the sodomy statute, he still thought upholding Smith's sodomy conviction could backfire. Baxley and Smith's fates were now intertwined, and with another legal team in charge of Smith's case, there were suddenly more variables impacting this fight. A decision in one case might possibly establish an unwanted precedent which could affect the other case. Also, if the Baxley team's mission was to prove that homosexuals were statewide targets of discrimination and harassment, having a gay defendant was essential. Though the Smith case was combatting the same unjust law, there was a possibility that the Supreme Court could rule the sodomy statute unconstitutional without raising the concerns of New Orleans' gay community. In Rawls' mind, a favorable Smith victory could possibly turn into a solely a victory for heterosexual intercourse. Baxley's legal defense had to tread carefully if they were still determined to have sodomy laws equated with gay bigotry.²⁵⁹

²⁵⁸ *Supreme Court of Louisiana v. Mitchell Smith*, 99-KA-0606 (2000); John D. Rawls, interview by author, February 2015.

²⁵⁹ John D. Rawls, interview by author, February 2015.

Also troubling Rawls was the office of the District Attorney's refusal to consolidate the cases. It was clear to him that he was no longer the only one steering the ship. LEGAL's strategy rested on their star attorney being the face of the anti-sodomy crusade due to advantages Rawls was all too ready to point out himself. First of all, his personal relationship and similar age to most of the judges transformed Rawls into their contemporary. Rawls believed that a younger, less experienced civil rights attorney would struggle navigating Louisiana's court system without any experience operating within the "good old boy" manner in which it operated. In order to win their respect, Rawls also believed the judges had to view as an attorney rather than an activist. He counted on their knowledge that "I made my reputation as a good lawyer before I made my reputation as a gay lawyer."²⁶⁰

During the mid-1990s, the Smith and Baxley cases became the sister proxies for the most important fight the New Orleans gay community now faced as it began to retain its footing after the initial AIDS panic of the 1980s began to subside.²⁶¹

Even though Rawls was still not successful getting "Gay 101" tried in court, at least the public was taking notice of the struggle by the late 1990s. During the early years of the Baxley cause, interest of primarily limited to activists in the gay community. After several years struggling in the courts, one of the main reasons Rawls was tapped as the face of the legal challenge came to fruition. The New Orleans local press was making the sodomy law a topic of conversation the local media attention was doing it for him. Commentary in the Times-Picayune became especially heated on the issue, typically siding with Baxley and Smith. Though the publicity was welcome, the press still focused on the sodomy statute turning the majority of

²⁶⁰ John D. Rawls, interview by author, February 2015.

²⁶¹ Melinda Shelton, "Gay group takes on La. Sodomy law-again," Times-Picayune, January 4, 2001, Mss 357, Folder 56, EKLSC.

heterosexual couples in the state into criminals. James Gill, a well-respected veteran editorial writer for the Times-Picayune, hammered home his disgust to the paper's faithful readers with a column titled "Court puts up with invasion of privacy." Typically, these editorials utilized a tongue-in-cheek tone to underscore how ridiculous the law actually was. He began one editorial by quoting the state constitution's prohibition of "searches, seizures, or invasions of privacy," pivoting from the exact wording of the constitution to the court's majority opinion that "If a crime or a penalty is not defined to reflect current societal values, it is for the legislature, not the courts, to reflect the change." While rhetoric surrounding sex laws may have been hushed or non-existent in previous decades, Gill's directive to his readers to "pick up the phone and ask your senator to vote for fellatio" was illustrative of how public and open debate on sexual matters was heretofore an acceptable topic of discourse. Gill's hyperbole and humor was reflective of a growing divide between New Orleans residents and the state legislature/courts. In Gill's estimation, the Court was engaging in a tired slippery-slope argument the inevitably led to the threat of "consensual incest, fornication, prostitution, drugs etc." As Smith and Baxley were beginning their final ascent through the state's courts, communities which had never paid notice of gay causes had become invested in their outcome.²⁶²

Politicians in Baton Rouge were beginning to debate the issue as well. Even the most casual follower was starting to believe in the likelihood of the U.S. Supreme Court reevaluating the Bowers decision as long as cases like Baxley's kept being batted around state courts. The growing acceptance of homosexuality in New Orleans, mixed with the endless media attention Rawls had drawn to the case, forced politicians on both sides of the issue to debate the merits of the law on the floor of the legislature. Democratic Governor Edwin Edwards, before leaving

²⁶² James Gill, "Court puts up with invasions of privacy," The Times-Picayune, July 12, 2000, Mss 357, Folder 56, EKLSC.

office in 1996, had issued an executive order in his last term that placed “a ban against sexual-orientation discrimination by state agencies and contractors,” before his Republican successor allowed it to expire four years later.²⁶³

Atypical for the Louisiana legislature, gay equality began to peak its way into debates on the capital floor. Despite the failure to renew the anti-bias ordinance enacted under Edwards, the *Gambit Weekly* called 2001 a “watershed year for gay rights.” Chris Daigle, the Government Affairs Director for LEGAL and chair of LAGPAC, expressed cautious optimism when describing this alleged turn of the tide. “It has been an incredibly successful session,” Daigle would tell the *Gambit Weekly*, yet he added a caveat that would reflect the experience of decades of gay successes which had up to that point typically been met by a severe backlash. “I’m not ready to say Louisiana has a pro-gay legislature, but...the message is coming out loud and clear that we no longer have an anti-gay legislature.”²⁶⁴

Daigle and his fellow Louisiana activists had reason to be positive. Despite the failure of “anti-bias” discrimination bills in the past, recent attention to the sodomy law was clearly leading to the most substantial political support the state’s gay community had ever received. Even though absolute success in congress was not likely, there were still subtle hints that a sea change was possibly coming. Representative Clo Fontenot introduced bills twice which banned same-sex civil unions allowed in other states from being recognized in Louisiana. He failed to get the bill passed both times he introduced it for a vote.²⁶⁵

Despite renewed hope in the possibility help from the courts might not even be necessary, bills supporting anti-discrimination continued to be met with resistance. Senate Bill 862 was a

²⁶³ “Rights and Wrongs,” *Gambit Weekly*, May 29, 2001.

²⁶⁴ Ibid.

²⁶⁵ Ibid.

prime example of how close supporters of the gay community came toward legislation. The bill outlawed discrimination in the workforce on the basis of sexual orientation by employers of more than twenty-five people and was blessed by the support of the Louisiana AFL-CIO and both of the state's U.S. senators. Despite their backing, the bill lost in a 14-21 vote, leading to varied explanations from both sides of the argument, echoing opponents' logic that the law would create a "protected class" whose assignment could never be verified beyond the person's word that they were a homosexual. If success was going to be achieved, it had to come from the judicial system.²⁶⁶

Both cases also followed the same trajectory as they made their way through the Louisiana court system. In February 1999, three years after Mitchell Smith's initial conviction, the Fourth Circuit Court of Appeals struck down the crime against nature statute, reversing Quinlan's ruling on the grounds that Smith's right to privacy had been violated. A month after this ruling, Rawls brought Baxley's case back to court with the eventual result being a rerun of their first visit. Judge Carolyn Gill-Jefferson was the presiding judge, and Rawls considered her a close friend and ally of the gay community. As Judge Johnson did before her, she constructed her opinion on the same constitutional grounds which provided the right to privacy.²⁶⁷

Despite educating the court on "Gay 101," Rawls once again did not receive his desired ruling. To the New Orleans gay community, success was the recognition of gay disenfranchisement. For the team defending Baxley, acknowledgment of recognition was non-negotiable. After the ruling, Rawls confronted Judge Gill-Jefferson in the same way he approached Judge Quinlan. After asking her why she did not rule on the gay issue, she offered the explanation that it was not relevant. Adding to Rawls' frustration was the assertion that the

²⁶⁶ "Rights and Wrongs," *Gambit Weekly*, May 29, 2001

²⁶⁷ John D. Rawls, interview by author, February 2015

ruling was based on gay conduct instead of status. As far as Rawls was concerned, this was just “plain wrong.” As the case immediately went to the appeals court, Rawls exuded the flare which made him the face of this legal battle to begin with. He exclaimed that “this law has no more to do with conduct than Jim Crow did with seats on the bus; they had to do with status, who was on top and who was on bottom.” To the gay activists championing the case, having the right to privacy was irrelevant if your private dalliances were still considered criminal.²⁶⁸

In July 2000, the trend set by Baxley’s court experience barely strayed. The Louisiana Supreme Court reinstated Smith’s conviction in a 5-2 decision. As a consequence, the sodomy ban was still upheld despite any privacy arguments. This decision became an albatross around the neck of Baxley’s supporters, leading Rawls to fear that the Smith case might negatively affect his efforts soon came to fruition. When the Baxley case eventually went before the court of appeals not long after the Smith decision, the court simply remanded it back to Judge Gill-Jefferson for reconsideration in light of the recent ruling. Rawls had to concede that the state Supreme Court decision damaged his efforts, but he was not one who gave up hope easily.²⁶⁹

After nearly a decade fighting the sodomy law, recent years had brought a rapid growth in media visibility, and consequently communities not typically informed in gay affairs were debating the issue. Both gay and straight Louisiana residents, however, were forced to wait until March 9, 2001 for Judge Gill-Jefferson to rehear the case. They did not have to wait long for a ruling, as the judge almost instantaneously maintained her earlier opinion in its entirety. Both gay and straight residents of New Orleans were now invested in Baxley’s fate, and *The Times-Picayune* provided its readership with thoughtful analysis the following day. New Orleans’ most

²⁶⁸ John D. Rawls, interview by author, February 2015; Susan Finch, “Appeals court to weigh gay-rights argument,” *The Times-Picayune*, January 9, 2001.

²⁶⁹ John D. Rawls, interview by author, February 2015.

circulated newspaper did not allege the judge was trying to achieve a similar outcome to Judge Quinlan's, but it did conclude that by disregarding any possible precedent set by Smith's case she was in fact "putting the conflicting decisions on a collision course for the Supreme Court to sort out."²⁷⁰

Whether this was her goal or not is unknown, but one could definitely make the case that she must have believed her decision would force the Supreme Court to finally rule on whether gay and lesbians in New Orleans were being discriminated against.²⁷¹

Rawls rhetoric was more optimistic and less harsh than his previous harangues of Judge Gill-Jefferson's decision. He publicly admitted that the judge's ruling was in fact "a major breakthrough in his nine-year legal battle," adding that "the right to privacy is alive and well in Louisiana...Once this ruling is upheld, Louisiana will join the European Union, the United Kingdom, Canada, Australia, New Zealand, South Africa, and 34 sister states in declaring the bedroom off-limits to government."²⁷²

The media attention started to affect the bottom line for tourism in the city, forcing corporations and professional organizations around the country to take notice. By 2001, New Orleans could gloat about its status as one of the highest booked destinations for conferences and conventions, but the head of booking at the New Orleans Convention Center was unexpectedly beginning receive cancellation requests. Some of these cancellations were even coming from groups who had routinely visited the city without complaint. The media attention the sodomy challenges were receiving had soured the city for many who found the law barbaric. For many visitors, the city's allure was its promise that forbidden corporeal delights could be experienced

²⁷⁰ Michale Peristein, "Statute Forbidding Sodomy Violates Privacy, Judge Says," *The Times-Picayune*, March 10, 2001.

²⁷¹ Ibid.

²⁷² Ibid.

briefly without any consequences. All of the sudden, the same people who loved the city were worried they may be arrested during their next visit. Whether born from moral protest or anxiety over gay visitors' vulnerability inside the French Quarter, the New Orleans economy was starting to take a hit because of the controversy.

The team charged with assuaging these fears had little time to think about a new ruling's economic fallout. Despite the case being forced to once again restlessly languish in limbo before heading to the Supreme Court for a second time, there were still immediate victories to be savored. Rawls' claimed that a judge's injunction against the arrest of homosexuals until the case was decided had to remain active, despite allegations that arrests were still taking place. He demanded that they stop because there was still no final ruling. The District Attorney's office was capable of being just as cocky and confident as Rawls, and they stuck to their guns on their reasoning why the law was constitutional and nondiscriminatory. Citing earlier cases that never favored the expansion of gay rights, the DA's justification for the law's constitutionality was also the bane of Rawls' legal existence. Without a ruling on "Gay 101," the same excuses that fostered harassment and deniability could continue unabated.²⁷³

Almost ten years exactly from the June night Johnny L. Baxley was arrested, *LEGAL* finally argued before the Louisiana Supreme Court in March 2002. The Smith decision which had been haunting them for so long actually made their second trip to the Supreme Court have a worse outcome than before. The court unanimously decided that the crime against nature statute did not even violate the privacy rights of citizens under the Louisiana State Constitution, therefore making any debate over discrimination a moot point. What could have been the decade long struggle's conclusion turned out to be another dismissal of New Orleans' gays and lesbians.

²⁷³ Michale Peristein, "Statute Forbidding Sodomy Violates Privacy, Judge Says," *The Times-Picayune*, March 10, 2001.

Though the court found the case did not have merit based on privacy arguments, it still sent it back to the 4th Circuit Court of Appeals, volleying the case back through the courts.²⁷⁴

By 2001, even judges in the Deep South were striking down sodomy laws on the basis they were unconstitutional. If Rawls' assertion about New Orleans judges hating the sodomy law was correct, they were not expressing it in the courtroom. At best, their opinions usually ignored the issue of homosexuality altogether. To many supporting LEGAL causes, the explanation for why these judges were dragging their feet on gay issues was obvious. LEGAL President Randall Beach's explanation as to why the courts kept punting the gay issue instead of ruling one way or another came down to how Louisiana elections were run.²⁷⁵

According to Beach, the only reason the sodomy ban had not been invalidated years earlier was because Louisiana was one of a handful of states that held partisan elections for the State Supreme Court. Beach was expressing a sentiment held by many in his camp that the ping ponging of these cases between judges on the sodomy question was due to their fear of "retribution at the ballot box."²⁷⁶

For detractors of holding partisan judicial elections, the state forcing a judge to campaign for public votes on a party ticket essentially turned them into politicians responsible to an electorate. If this logic was to be followed, judges would consequently be forced to pay lip service to the personal views and political trends which held the most consensus within the voting bloc when forming their opinions. Perhaps worst of all, political campaigning by its very nature brought with it the necessity of campaign fundraising. This gave credence to the fear that

²⁷⁴ Michale Peristein, "Statute Forbidding Sodomy Violates Privacy, Judge Says," *The Times-Picayune*, March 10, 2001.

²⁷⁵ "Competitive Elections," Justice at Stake Campaign, accessed February 2015, http://www.justiceatstake.org/issues/state_court_issues/competitive-elections/.

²⁷⁶ Ibid.

judges with deeper pocketed backers would, like politicians running for office, always have an edge in any election. Besides the possibility that partisan judge would be beholden to a particular set of political and social values, was the equally undesirable threat that their judgments may be watered down in their desire not to alienate either side of an argument.²⁷⁷

If the state's politics were in fact vital to court judgments, it would not be favorable to Baxley's cause. Though strides had been made nationally in pursuit of gay liberation for nearly three decades, the rise of evangelical conservatism in the rural American South by the twentieth century injected gay activists with the fear that new victories may not be achieved, but that past accomplishments in gay liberation could conceivably be rolled back. Though George Walker Bush had won a contested presidential election in late 2000 without receiving the majority of the national popular vote, Louisiana voters had provided him with a veritable landslide. With an advantage of over 130,000 votes, Bush handily defeated Vice-President Al Gore in the state by eight percentage points. Considering that only four years prior Democratic President Bill Clinton had carried the state with over 200,000 more votes than his nearest competitor, it was becoming increasingly evident to Rawls and his supporters that the contemporary brand of evangelical conservatism Bush brought to the White House had to be attractive to most Louisiana voters living outside of New Orleans. As the judges began to reflect the political and social mores of the state's electorate, the clock was ticking if a successful outcome was going to be achieved.²⁷⁸

When the appeals court was finally forced to rule on discrimination question, ten years had passed since Baxley's arrest. In late 2002, two out of the three presiding appeals court judges

²⁷⁷ "Competitive Elections," Justice at Stake Campaign, accessed February 2015, http://www.justiceatstake.org/issues/state_court_issues/competitive-elections/.

²⁷⁸ David Leip, "2000 Presidential General Election Results-Louisiana," David Leip's Atlas of U.S. Presidential Elections, accessed February 2015 <http://uselectionatlas.org/RESULTS/state.php?fips=22&year=2000&f=0&off=0&elect=0>.

concluded there was no evidence of discrimination. Judge David Garbaty, writing for the majority, declared that Rawls' team provided no proof establishing the legislature intended to discriminate against the state's gay population. After a decade of near victories, Rawls' typical tongue-in-cheek, theatrical demeanor gave way to anger. As he bluntly characterized the ruling, the judges were supporting "Louisiana's overarching public policy to treat its gay citizens like scum."²⁷⁹

His disappointment was not only a result of the failure of an ideological crusade, but out of the fear that Rawls' hero may not live long enough to witness victory. Baxley's had become deathly ill due to AIDS, and when Rawls saw him near the end of his life he was shocked at how much of a toll the disease had taken on the man. Rawls did not want to force his hero to continue this never ending struggle in such frail condition, and Baxley ultimately pled guilty in order to be set free.²⁸⁰

Rawls had always been determined to continue the good fight no matter the setbacks. He believed the struggle to decriminalize homosexuality may have started in New Orleans, but had to be fought and won within the state. After being batted around through the courts, it started to look like there was a very real possibility this fight might last into a second decade. Fortunately for anyone supporting gay rights, no one had to wait that long due to the United States Supreme Court's decision to revisit the *Bowers* decision.²⁸¹

Lawrence and Garner v. Texas took four years to make its way to the Supreme Court, but began in September 1998 when the Texas state police "barged" into the home of John Lawrence in response to a neighbor's tip that someone was "going crazy" inside Lawrence's home.²⁸² What

²⁷⁹ Susan Finch, "Appeals Court Uphold Sodomy Law," *The Times-Picayune*, November 23, 2002.

²⁸⁰ John D. Rawls, interview by author, February 2015.

²⁸¹ Ibid.

²⁸² Joan Biskupic, "Supreme Court to review Texas anti-sodomy law," *USA Today*.

turned out to be a false report of a possible “armed intruder” led the cops into Lawrence’s bedroom, where he and Tyrone Garner were found engaging in a sexual act. Arrested for violating Texas’ twenty-eight-year old “homosexual conduct” law, Lawrence and Garner were eventually convicted of a criminal misdemeanor and issued a fine. Though the neighbor, referred to by the *Times-Picayune* as an “acquaintance” of Lawrence, was charged with a thirty-day jail sentence for filing a false report, the court still found the couple guilty due to the fact the police caught them in the act of committing a crime.²⁸³

Lawrence and Garner fought the law on the grounds it defied the 14th Amendment’s equal protection guarantee as well as the individual right to due process. Those on both sides of the argument had various theories as to why the Supreme Court would hear a case that might ultimately undo a decision the same court had made only sixteen years earlier. On top of that, some of the same justices who presided over the *Bowers v. Hardwick* decision were still serving on the bench when Lawrence’s case was accepted by the Court. For activists on both sides of the argument, *Lawrence v. Texas* as a referendum on the “culture wars” that had played such an essential part in American political rhetoric since the end of the Cold War.²⁸⁴

Rawls was not going to miss hearing this case argued, and traveled to Washington D.C. to attend the historic trial. The merits of the case aside, Rawls’ evaluation of the experience was similar to the national press. The assistant District Attorney arguing for Texas was clearly out of his depths. In Rawls’ own colorful words, “The idiot from Houston is arguing...not answering [Justice Anthony] Kennedy’s questions...hemming and hawing...ducking.” On top of evident inexperience arguing before the Court, the Texas attorney became the target of any levity witnessed during the typically somber proceedings. For Rawls, one of the greatest moments

²⁸³ Jonathan Turley, “Let’s Hope the Sex Police Lose Their Badges,” *The Times-Picayune*, October 26, 2002.

²⁸⁴ Joan Biskupic, “Supreme Court to Review Texas Anti-Sodomy Law,” *USA Today*, December 3, 2002

during the hearings was when Justice Kennedy stated he wanted to ask the attorney “a straight question.” “At that moment the entire courtroom erupted in laughter.”²⁸⁵

The U.S. Supreme Court’s 6-3 decision to repudiate *Bowers* cut through the din of voices that promised such a decision would be an attack on state rights, morality, and an endless stream of “slippery slope” worst case scenarios. The majority opinion echoed the argument that sodomy laws impinged on the equal protection of individuals. As Justice Anthony Kennedy wrote about homosexual Americans in his opinion favoring the majority, “the state cannot demean their existence or control their destiny by making private sexual conduct a crime...adults may choose to enter upon this relationship in the confines of their homes and their own private lives and still retain their dignity as free persons.” According to *The New York Times*, the *Lawrence* decision was the Court “effectively apologizing” for *Bowers v. Hardwick*. “Few people on either side of the case expected a decision of such shape.” The constructionist opposition in the court was led by Antonin Scalia, who made it clear that the far reaching effect of such a ruling would render same-sex marriage inevitable.²⁸⁶

Unfortunately for the Louisiana gay community, the legacy of the sodomy ordinance would remain alive and well in the minds of some on the police force despite its dismantling by the Supreme Court. The *Lawrence* decision invalidated the sodomy statute within Louisiana’s crime against nature law and immediately effected LEGAL’s standing cases. Rawls returned from Washington with a precedent which could not be ignored. The struggle the Baxley case represented for gays and lesbians in New Orleans should have been over, but the legacy of discrimination refused to die. Between 2011 and 2013, a decade after *Lawrence*, a dozen arrests

²⁸⁵ John D. Rawls, interview by author, February 2015.

²⁸⁶ Linda Greenhouse, “Justices, 6-3, Legalize Gay Sexual Conduct in Sweeping Reversal of Court’s ’86 Ruling,” *The New York Times*, June 27, 2003.

were made on the basis of a law already ruled was unconstitutional. During the summer of 2013 an East Baton Rouge Parish sheriff's deputy arrested a sixty-five-year old gay man for "attempted crime against nature." Earlier that evening the sheriff's deputy had met the man in Baton Rouge's Manchac Park, an area known for its gay cruising. He asked the man if he wanted to have "some drinks and some fun," and although no money exchanged hands and no sexual activity took place, the man was arrested. Amazingly, in some of these cases, there was never even the pretense of sex being paid for. Because the 2013 arrest in Baton Rouge of a sixty-five-year old man for "crimes against nature" a decade after the U.S. Supreme Court declared the law unconstitutional made national headlines, the parish's District Attorney was forced to go on the record with his thoughts on the arrest. Though DA Hillar Moore III admitted to the press that "legally" there was "no criminal violation," he would add the caveat that "the sheriff's office's intentions are all good."²⁸⁷ Though this statement may have stemmed from nothing more than a desire to support his local sheriff's office, Moore's statement that the "intentions" leading to the arrest were coming from desire to protect the community is proof that the legacy of Louisiana standards of where and how the gay community can exist and flourish was still up for debate. It is this historical tradition in New Orleans of proscribing acceptable places and acts for homosexuality to exist which would follow the community into their next struggle for gay marriage.

After a decade of false starts and dashed hopes, Rawls was personally unsuccessful in his mission to end the criminalization of homosexuality in New Orleans. A ruling from the highest court may have legally made his cases irrelevant, but the struggle's endurance represented a

²⁸⁷ Katie McDonough, "Louisiana Police use invalid anti-sodomy law to arrest gay men for agreeing to consensual sex.," Salon.com, July 28, 2013, accessed December 3, 2014, http://www.salon.com/2013/07/28/louisiana_police_use_invalid_anti_sodomy_law_to_arrest_gay_men_for_agreein_g_to_consensual_sex/.

process that came to define the city's gay movement during the 1990s. Because of the sodomy cases LEGAL spearheaded, the New Orleans gay community finally journeyed beyond the borders of the French Quarter. Not only did many in the straight community become radicalized for the gay cause, but valuable allies were discovered in the local media and legislature. A disservice is done to the study of gay liberation if *Lawrence v. Texas* remains the sole representative of the struggle to decriminalize homosexuality. The unheralded battles fought in Louisiana, as well as other states, created a confluence of rebellious voices which led to Lawrence being heard in the first place. Though John D. Rawls and Johnny L. Baxley became the faces of the New Orleans struggle, they were merely vessels for those who fought with them. More importantly, their story represents those who were brave enough to put their livelihoods at risk by entering a bar, a park, or a party, leaving them incapable of fighting back. These men and their supporters finally gave voice to the city's silenced, and New Orleans gay history changed forever.

8 CONCLUSION

Michael Robinson was excited but nervous on the Friday morning of June 26, 2015. The United States Supreme Court was expected to rule on whether same-sex marriage was a constitutional right that morning, and Robinson and his partner Earl Benjamin were planning to become the first same-sex couple to marry in the state of Louisiana. However, as Robinson waited at the Orleans Parish Department of Vital Records, the distributor of marriage licenses in New Orleans, Benjamin was running late.²⁸⁸

“Hurry up and get in here before Jindal ruins this,” Robinson told Benjamin on his arrival. While this remark could have been taken for a sarcastic joke, it would become prophetic as the couple waited hours for a marriage license which would not be granted to them that day despite the Supreme Court releasing its ruling that same-sex marriage was a constitutional right. Two days prior, Louisiana Governor Bobby Jindal had announced his run for the Republican presidential nomination, and his campaign was based on a platform of social conservatism. Same-sex marriage had been a national topic of debate since the Supreme Court agreed to hear the *Obergefell v. Hodges* case which would ultimately decide its constitutional status. Jindal had made it clear where he stood on gay marriage a month earlier when he issued the “Marriage and Conscience Order,” an executive order which would forbid the state from punishing businesses for engaging in commerce in “accordance with their religious and moral beliefs regarding marriage.” Jindal was on the record stating he would make “religious liberty” a primary theme of his presidential campaign, and while other states began to issue marriage licenses to same-sex couples, Jindal put a halt to this possibility. The governor justified requesting that his attorney

²⁸⁸ “Follow the day for Michael and Earl: First Couple in Line in New Orleans for Same-Sex Marriage,” *New Orleans Advocate*, April 4, 2016.

general halt the issuance of marriage licenses on the grounds that the losers of the Supreme Court decision had twenty-five days to appeal the decision. Meanwhile, Robinson and Benjamin waited anxiously, surrounded by friends and members of the press.²⁸⁹

Robinson and Benjamin had been partners for fourteen years and it was clear to everyone at the Department of Vital Records that they were deeply in love. Robinson, a licensed master social worker, and Benjamin, working toward a doctorate in Health Science, had teamed up with the local gay rights organization Forum for Equality to become the first same-sex couple in New Orleans to get legally married. According to Forum for Equality chairman John Hill, the marriage of this loving couple was staged for optimum effect. “We were ready the day of the wedding,” Hill recalls. “We had lined up the judge, and the judge had been a member of our organization. All the other judges had taken themselves off the duty roster that day to get all the way down to her so that she would be the one to get the first marriage.” Yet, no marriage licenses were issued that day.²⁹⁰

Despite the delay, that evening Hill and his partner went to Jackson Square to celebrate the Supreme Court decision. As they walked to the rally carrying a large rainbow flag, drivers honked their horns and shouted support at the couple. As they arrived, it was the biggest pro-gay demonstration Hill had ever seen in the state. Overcome with emotion, he told his partner to kiss

²⁸⁹ Maria Clark, “Group Challenges Jindal’s Executive Order,” *New Orleans City Business*, June 30, 2015; Julia O’Donoghue, “Bobby Jindal Makes His Presidential Announcement Today,” *The Times-Picayune*, June 24, 2015, accessed January 30, 2017, http://www.nola.com/politics/index.ssf/2015/06/bobby_jindal_presidential_kenn.html; Julia O’Donoghue, “Bobby Jindal Condemns Supreme Court’s Gay Marriage Decision,” *The Times-Picayune*, June 26, 2015, accessed January 20, 2017, http://www.nola.com/politics/index.ssf/2015/06/bobby_jindal_condemns_supreme.html; “Follow the Day for Michael and Earl: First Couple in Line in New Orleans for Same-Sex Marriage,” *New Orleans Advocate*, April 4, 2016.

²⁹⁰ Danielle Dreilinger, “Gay Couple Marries Legally in New Orleans, Perhaps First,” *The Times-Picayune*, June 19, 2015, accessed January 30, 2017, http://www.nola.com/politics/index.ssf/2015/06/gay_couple_marries_legally_in.html; John Hill, interview by author, New Orleans, September 29, 2015.

him. As they embraced cameras started flashing. According to Hill, the next day “It was on the front page of the paper.”²⁹¹

After the celebration, there was work to do. Gay marriage may have been declared legal by the Supreme Court, but same-sex couples were still not getting married in Louisiana. The weekend after the Supreme Court ruling was spent strategizing to get Jindal’s order overturned. According to Hill, letters were sent to the clerks issuing licenses that they could personally be held liable if they refused to cooperate with the Supreme Court decision. “They all started falling except for Orleans,” Hill recalls, further recounting how New Orleans Mayor Mitch Landrieu was “livid” that “the friendliest gay city in the state” was the only one not issuing marriage licenses to its gay residents.²⁹²

Jindal’s order ultimately did not prevent Robinson and Benjamin from marrying. They simply went to the adjacent Jefferson Parish on June 29 for the marriage license and returned to New Orleans for the wedding. While they were ultimately not the first gay couple in the state to be married, it clearly did not matter to the loving couple. Hill’s recollection of that day is one of happiness, as he and the media watched a “sniffling and crying” couple make history. On the marriage license, the word “Bride” was crossed out and replaced in pen with “Groom 2.”²⁹³

The experience of Harrison, Benjamin, and Hill during the weekend in which the governor of Louisiana refused to allow marriage licenses to be issued to same-sex couples is indicative of a century old struggle for gay rights in New Orleans. Almost one hundred years after Lyle Saxon saw the French Quarter as a potential home for a gay bohemian community,

²⁹¹ John Hill, interview by author, New Orleans, September 29, 2015.

²⁹² Ibid.

²⁹³ Danielle Dreilinger, “Gay Couple Marries Legally in New Orleans, Perhaps First,” *The Times-Picayune*, June 19, 2015, accessed January 30, 2017, http://www.nola.com/politics/index.ssf/2015/06/gay_couple_marries_legally_in.html; John Hill, interview by author, New Orleans, September 29, 2015.

gay New Orleans residents were proudly celebrating the right to marry on the same streets on which Saxon once tread. This episode supports the argument that the path toward gay liberation in New Orleans is complex and fraught with contradictions. Despite relationships improving between the New Orleans gay population and local officials since the 1970s, the city still exists in the very conservative American South, forcing gay men and lesbians to continue to navigate these challenges.

The gay community made great progress over the twentieth century, yet the dynamic between Jindal and the gay population echoed the past. Since the days of gay Bohemia, the New Orleans gay community remained targets. Yet while the moral crusaders who were determined to eradicate homosexuals from the city continued to exist, the gay community still expanded.

The story of gay New Orleans is one of resilience and creativity. Gay men and lesbians used the city's culture of drinking, sexuality, "masking," and excess to create a resilient community despite the approbation of city officials and police. This is significant because it is illustrative of how gay communities not only survived, but thrived in the deeply conservative South. What makes New Orleans an important case study of this fact is how unique its traditions are, and how the gay community exploited and celebrated these traditions to their benefit. By the turn of the twenty-first century, New Orleans had developed a reputation as a gay capital of the United States. What is not understood about this reputation is the fact that gay New Orleans had been flourishing long before the rest of America took notice.

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Club My-O-My: New Orleans Vintage Drag, produced by Thomasine Bartlett, Michael Mizell, and David Wolf

Prohibition, directed by Ken Burns and Lynn Novick

The Sons of Tennessee Williams, directed by Tim Wolff

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Ambush Magazine Collection

Baton Rouge Morning Advocate

Gambit Weekly

Impact

National Observer

New Orleans Advocate

New Orleans City Business

New Orleans Item

New Orleans States

New Yorker

New York Times

Penthouse

Saturday Evening Post

Time

Times-Picayune

USA Today

Archival and Manuscript Collections

Earl K. Long Special Collection

John D. Rawls Collection

Historic New Orleans Collection

Mary Meeks Morrison and Jacob Morrison Papers

Skylar Fein Upstairs Lounge Collection

Louisiana Research Collection

LGBT Community Center of New Orleans Records

Louisiana Lesbian and Gay Political Action Caucus Records

Lyle Saxon Collection

Otto Stierle Collection

Skip Ward Collection

Louisiana State Museum

Costumes & Textiles and Carnival Collections

Louisiana Division City Archives and Special Collections

JFK Assassination Investigation Records

Ernest M. Morial Collection

Special Citizens Investigating Committee Papers

ONE National Gay and Lesbian Archives

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